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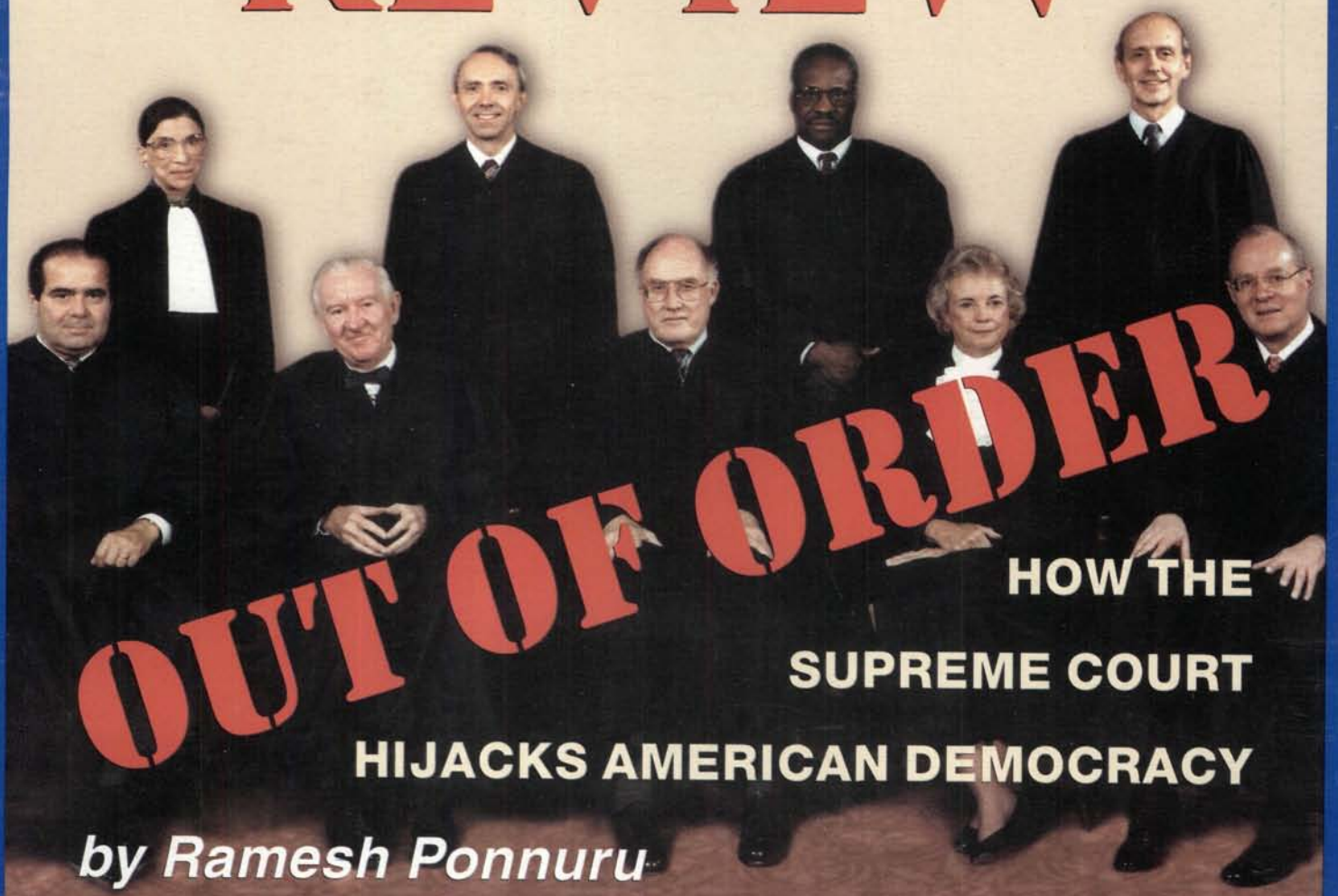

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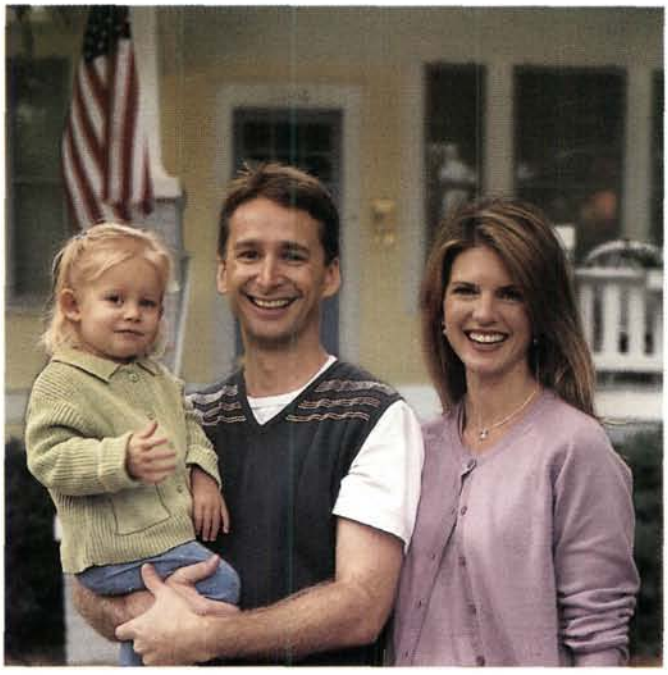

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JULY 31, 2000 VOL. LII, NO. 14

ARTICLES

15 Class Clown *by Richard Lowry*
Gore's outdated rhetoric.

16 Missing Men *by Kate O'Beirne*
The Democrats Gore is not getting.

18 Car Crazy *by Henry Payne & Diane Katz*
Al Gore, automotive engineer.

20 An Abortion Fumble *by Michael M. Uhlmann*
And how Bush can recover.

22 Outfoxed *by Dick Morris*
What happened to Mexico's ruling party.

25 Biased Gumbel *by Jonah Goldberg*
A breakfast serving of liberalism.

26 Reality Bites *by Rob Long*
A fad fizzles.

28 Supreme Hubris *by Ramesh Ponnuru*
How the Court overrules the Constitution.

31 Energy Loss *by Notra Trulock*
What happened to the nation's secrets.

34 The New Eugenics *by Matt Ridley*
Better than the old.

Cover photo by Richard Strauss
Collection, Supreme Court Historical Society

WORLD WIDE WEB
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BOOKS, ARTS & MANNERS

The Patriot—*Seth Lipsky*, **page 45**
My Love Affair with America: The Cautionary Tale of a Cheerful Conservative, *by Norman Podhoretz*

Master of the Game—*Anthony Lejeune*, **page 46**
Spytime: The Undoing of James Jesus Angleton, *by William F. Buckley Jr.*

Twilight of the Dons—*Victorino Matus*, **page 47**
Omerta, *by Mario Puzo*

Music: Play, Memory—*Jay Nordlinger on* The Art of Piano *and György Cziffra*, **page 49**

Film: Catch the Wave—*John Simon on* The Perfect Storm, **page 50**

City Desk: Bean Town—*Richard Brookhiser on New York's coffee wars*, **page 51**

SECTIONS

2 Letters
4 For the Record
6 The Week
38 Help!
40 Letter from Al
52 Books in Brief
54 On the Right
56 The Misanthrope's Corner

NATIONAL REVIEW (ISSN: 0028-0038) is published bi-weekly, except for the first issue in January, by NATIONAL REVIEW, Inc., at 215 Lexington Avenue, New York, N.Y. 10016. Periodicals postage paid at New York, N.Y., and additional mailing offices. ©National Review, Inc., 2000. Address all editorial mail, manuscripts, letters to the editor, etc., to Editorial Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016. Address all subscription mail orders, changes of address, undeliverable copies, etc., to Circulation Dept., NATIONAL REVIEW, P. O. Box 668, Mount Morris, Ill. 61054-0668; phone, 815-734-1232, Monday–Friday, 7:30 A.M. to 10:30 P.M. Eastern time. Adjustment requests should be accompanied by a current mailing label or facsimile. Direct classified advertising inquiries to: Classifieds Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016 or call 212-679-7330. POSTMASTER: Send address changes to Circulation Dept., NATIONAL REVIEW, P. O. Box 668, Mount Morris, Ill. 61054-0668. Printed in the U.S.A.

RATES: $59.00 a year (25 issues). Add $21.50 for Canada and other foreign subscriptions, per year. (All payments in U.S. currency.) The editors cannot be responsible for unsolicited manuscripts or artwork unless return postage or, better, a stamped self-addressed envelope is enclosed. Opinions expressed in signed articles do not necessarily represent the views of the editors.

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July 31 issue; printed July 12

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MAIN NUMBER 212-679-7330
SUBSCRIPTION INQUIRIES 815-734-1232
WASHINGTON OFFICE 202-543-9226
ADVERTISING SALES 212-679-7330
Executive Publisher Scott F. Budd
Advertising Manager Todd Westover
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■ LETTERS ■

BOYS WILL BE BOYS?

John O'Sullivan's "The Manly Ideal" (July 3) decries the loss of manliness in our feminized culture. In the same fine issue of NR, Richard Lowry reviews *The War Against Boys* by Christina Hoff Sommers and takes a swipe at the same affliction ("The Male Eunuch"). Lowry quotes Gloria Steinem as saying, "We need to raise boys like we raise girls."

In his chronicles of the great clans of the northern Scottish Highlands and of Rob Roy, Sir Walter Scott described the Highlanders as fierce warriors, loyal and honorable men, who were driven from their ancient ways and banished to a life of hearth and plow by the ignorance of the Lowlanders and their effete British Isles allies. Scott lamented, "... but if the hour of need should come, and it may not be too far distant, the pipes may sound through the deserted region, but the summons will remain unanswered. The children who have left her will re-echo from a distant shore the sounds with which they took leave of their own .... We return, we return no more!"

K. Eugene Smith
Wellington, Nev.

As a female high-school student, I was interested in Richard Lowry's "The Male Eunuch" (July 3). The fear that feminism will destroy "masculinity," and the presumption that a 30-minute recess is necessary for masculine outlets, is poorly based. Surely, a class in feminist literature will not take away the testosterone-driven tendencies of boys (just as a course on European wars will not lead a woman to start a war during lunch). Some boys—and I can cite my own English class as proof—have a defeatist attitude toward anything not purely masculine. Recently, for example, the boys in my English class protested against reading Virginia Woolf's *To the Lighthouse*, claiming it was "man-hating feminist literature." Luckily, they had the *Cliffs Notes*, giving them plenty of time to release their aggression after school.

Lydia Brotherton
Danville, Va.

ANYTHING BUT AN EDUCATION

In his otherwise excellent article on the current state of American education ("Where We Stand," July 3) Harvey Mansfield makes two points that I would expand on. The first concerns the liberal "educationalists'" notion of "self-esteem," and the second, their treatment of heroes.

I was chagrined in my introduction to public-school teaching to discover the weight given to "student self-esteem." Far from being the abstract leveling concept that Prof. Mansfield describes, "self-esteem" is a dogma which permeates all teacher training and decision-making; it is the universal response to every child's problems and needs—a mantra repeated ad nauseam and without regard to work or actual accomplishment. If you wonder why grades are inflated and social promotion exists, look no further than this hogwash about self-esteem.

On the subject of heroes, Prof. Mansfield misses the important fact that the liberal establishment is actively engaged in deconstructing all traditional national heroes and symbols of Western civilization. The public schools have created a cynical, anti-hero environment that questions or denigrates all leaders' motives and higher aspirations and focuses instead on baser human instincts.

James McDermott
Fayetteville, N.C.

ROCK THROWING

I was delighted to read an excerpt from your July 3 "The Week" which treated John Rocker as something less than an ax murderer. In my 80 years I have said and done some extremely stupid things. It is a sure bet that some of Rocker's most vehement critics are guilty of the same.

Hal Stoops
Grand Junction, Colo.

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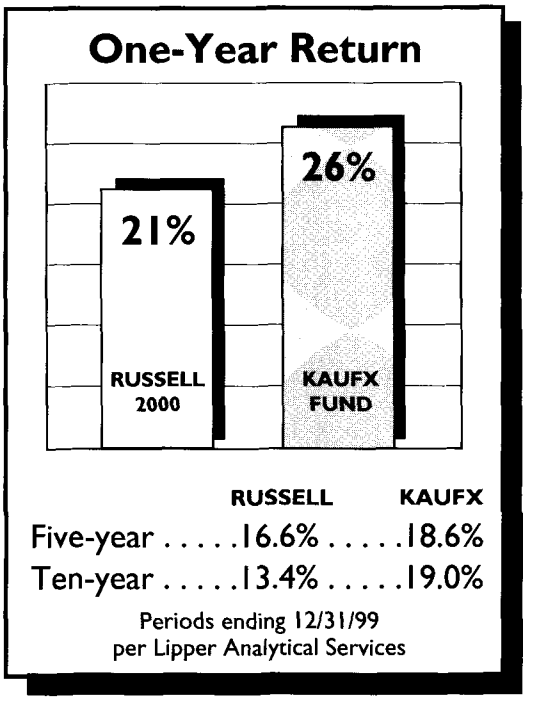
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■ FOR THE RECORD ■

■ "I've been vice president for seven years and two months and 28 days," vice president **Al Gore** says in recently released transcript of April fundraising interview. "Before that, I was a member of the United States Senate for eight years and 18 days." In same interview, Gore says he cannot remember if infamous event at a California Buddhist temple was a fundraiser and could only remember attending one White House coffee—records show he attended 23. . . . **George W. Bush** speaks to NAACP. . . . In an "election-year advisory" IRS warns tax-exempt organizations to stay away from political activities. . . . Feminist writer **Naomi Wolf** is back on Gore payroll, advising on "youth issues" and Internet. . . . In letter to Catholic League president **William Donohue**, Gore refuses to tone down support of international gay-pride event in Rome. . . . Day after Supreme Court's 5–4 partial-birth-abortion decision, **Tipper Gore** warns supporters gathered for "Women for Gore" rally, "Take a look at what the Supreme Court did yesterday and realize how thin, thin, our margin of support is.". . . Gore's Tennessee tenants, the **Mayberrys**, moving to Ohio. . . . America Chews 2000 sells cookies with likenesses of Bush and Gore on their website (www.americachews.com). As of printing, 21,757 Bush cookies have been sold compared to 10,894 Gore cookies.

■ On eve of missile-defense test 50 U.S. Nobel-prize laureates warn president that deployment of missile-defense shield would be "premature, wasteful, and dangerous." . . . Arkansas supreme court moves to have **Bill Clinton**'s law license revoked for "serious misconduct" in **Paula Jones** suit. After four judges with ties to Clinton step aside, Republican appointee to hear case. . . . Arkansas Republican congressman **Jay Dickey** accuses president of aiding opponent's campaign in retaliation for Dickey's involvement in impeachment. . . . *Ladies' Home Journal* poll reveals that by nearly four to one, mothers would rather their children grow up to be Nobel prize-winning scientists than president. Only job that rates lower: movie star.

■ Rep. **J. C. Watts** (R., Okla.) on what he'd say if Bush asked him to run as veep: "I do not know how I'd respond, but don't let it surprise you if it happens and I say no. How many times do you go into a contest saying, 'I want to be No. 2'?" . . . Democratic Rep. **Jim Traficant** (Ohio), reportedly facing indictment for mob ties, says he plans to break ranks and vote to keep **Dennis Hastert** as Speaker. . . . Gore press secretary **Chris Lehane** likens Sen. **Arlen Specter** (R., Pa.) to **Joe McCarthy** for disclosing that head of Justice Department's campaign-finance task force recommended a special counsel investigate Gore. After Specter demands apology, Gore says, "I'll let Chris Lehane speak for himself." . . . Former Boston mayor and Clinton administration ambassador to Vatican **Raymond Flynn** implores Catholic voters not to vote for "any political party or candidate who ignores or disrespects the values of our faith and principles."

"Sometimes it works out better when they do quote me out of context."

■ National Abortion Rights Action League links New York GOP Senate candidate **Rick Lazio** to former Supreme Court nominee **Robert Bork**. Says executive director, "We need to know that if there's another Bork nominated, our senator will vote against him." . . . Lazio fundraising letter decries Bill and **Hillary Rodham Clinton** for having "embarrassed our country and disgraced their powerful posts," says Hillary "covets power and control and thinks she should be dictating how other people run their lives." . . . Hillary Clinton promises *Roe* v. *Wade* litmus test for Court nominees.

■ National Campaign to Prevent Teen Pregnancy survey finds that 63 percent of teens who have had sex wish they had waited, and 78 percent agree teenagers should not be sexually active. . . . Filmmaker **Spike Lee** calls **Mel Gibson**'s *The Patriot* "a complete whitewashing of history. . . . For three hours, *The Patriot* dodged around, skirted about, or completely ignored slavery." . . . Rocker **Bob Seger** is on state senator's short list for Michigan's poet laureate, according to *Lansing State Journal*. . . . **Tom Flannery**, a columnist with the *Carbondale News* in Pennsylvania, named winner of Eric Breindel Award for Excellence in Opinion Journalism.

■ On **Elián González**'s return to Cuba, **Fidel Castro** likens saga to 1959 Cuban Revolution and Bay of Pigs: "A small boy and a humble Cuban father, whom few people knew just a few months ago, were returning transformed into giant moral symbols of our fatherland. At that moment, I thought how great is our people, how invincible a just idea." . . . Statue of "Iron Felix" **Dzerzhinsky**, founder of Soviet prison-camp system, pulled down after failed 1991 coup, will not be restored. . . . One in 80 babies born in the United Kingdom is test-tube baby, according to study of in vitro fertilization by European fertility specialists. . . . Survey finds that 80 percent of obstetricians in Victoria, Australia, would encourage abortion for dwarfism. . . . Germany renounces atomic energy, agreeing to close its 19 nuclear power plants over next 30 years. . . . Ontario judge upholds right of parents to spank their children. . . . In letter to London *Spectator*, pop star **Elton John** attacks **Thomas Cardinal Winning** for Catholic Church's position on homosexuality.

■ Rep. **Patrick Kennedy** (D., R.I.), at fundraiser: "My strengths are not [in] being a legislative titan. My strengths are my youth, my energy . . . my family name, my connections." Finally, some self-awareness in the family. **NR**

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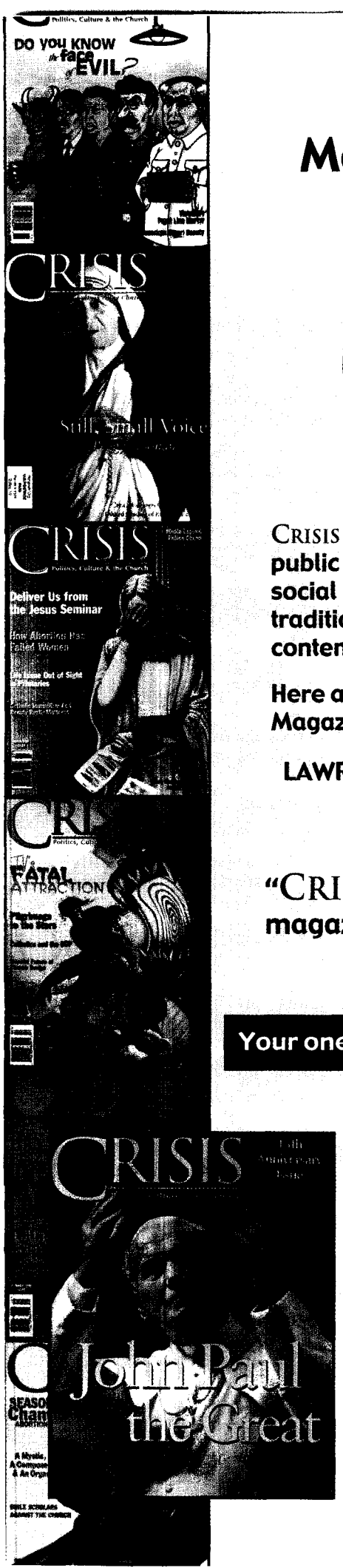

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THE WEEK

■ Frederick's of Hollywood filed for Chapter 11 bankruptcy protection; slowly, the Clinton era passes into history.

■ The artist formerly known as "The Artist Formerly Known as 'Prince'" is now to be known simply as "Prince" again. Journalists can therefore delete the TAFKAP macro from their word processors. That leaves them with the TPOCPBA macro—the one that, at a single keystroke, types out the phrase: "the procedure opponents call 'partial-birth abortion.'"

■ Another outbreak of Selective Memory Disorder (SMD) has alarmed psychiatrists in Washington, D.C. An extremely rare condition, SMD afflicts mostly fiftyish white males who live and work around 1600 Pennsylvania Avenue. It was first diagnosed in President Bill Clinton, who could remember the phone numbers of childhood friends, but little about his real-estate ventures or mentoring of White House interns. Now, Al Gore is showing symptoms. In a recent deposition, he knew how long he had served as vice president almost to the hour but could recall only that he had attended one White House coffee, when he actually attended 23. Anxious public-health officials are calling for more NIH funding to research the disorder—or at least beefed-up enforcement from the Justice Department criminal division.

■ The willingness of the Clintons to subsume every consideration of personal dignity and integrity to the pursuit of power was on display in New York on June 30. The occasion was a campaign lunch in the Park Avenue apartment of Walter Kaye, the retired insurance executive who recommended Monica Lewinsky for a White House internship. Said the First Lady in her address to the gathering: "You never know who you might meet through the Kayes." Laughter all round. Can't be long before Hillary is cracking 'em up at fundraisers with jokes about cigars and kneepads. Any chance we might see some indications of normal human shame, resentment, and humiliation? Or just of decent reticence? Hey: These are the *Clintons*.

■ Taking the gravity of capital punishment and the sacredness of human life as seriously as it takes anything, the Clinton administration announced it will postpone the first execution of a federal offender in 37 years until—oh, say, late November? The ostensible reason for the delay is to allow the Justice Department to draft new clemency guidelines. The condemned man, Juan Raul Garza, was convicted of ordering three murders in pursuit of his drug business. His lawyer says his clemency request will rely on a "public sense of fairness" about the ethnicity of federal death-row inmates (translation: My client is guilty as hell). Clinton's maneuverings, designed to avoid putting Gore for even one moment in a campaign hot seat designed for George W. Bush, illustrate the corrupting effect of partisan politics on this debate—and confirm our judgment that how we handle real hot seats will not get any serious discussion this campaign season.

■ "Whose side are you on?" asked Gore at the National Education Association's annual convention in Chicago. This was not a multiple-choice question, as 89 percent of the union's delegates voted to endorse him for president. The American Federation of Teachers, meeting in Philadelphia, had endorsed him by voice vote the day before. "In the search for ideas to improve public education," said Robert Chase, NEA president, "Al Gore knows where to look first." Where are union functionaries looking these days? The NEA convention rejected a proposal, offered by its leadership, to support bonuses based on performance. The NEA decided to raise each member's dues five dollars to fight voucher plans in California, Michigan, and wherever else the idea raises its head. They also considered removing pension funds from companies that support school vouchers, though fiduciary responsibility held them back. Protecting their money is one subject teachers' unions—and Gore—understand.

■ The Landmark Legal Foundation is asking the IRS and FEC to investigate the NEA. As a labor organization, the NEA is required to disclose political expenditures, which are taxable unless conducted through a PAC. Landmark has learned, however, that the NEA routinely makes political expenditures, from its general operating funds, well beyond its reported PAC activities. The union's "Strategic Plan and Budget" priorities for 1996 and 1998 include millions of unreported dollars to screen political candidates, mobilize union members to support candidates, and train members for campaign work. NEA documents also indicate that the responsibilities of its 1,800 local administrators include political activity. The NEA has repeatedly reported to the IRS that it spends no union dues on political activities, and has failed to disclose the full extent of its politicking to the FEC. The union's abuses should jeopardize its tax-exempt status, and expose it to hefty fines.

■ If the Apollo space program had been held to the same standards as today's proposed missile-defense system, it

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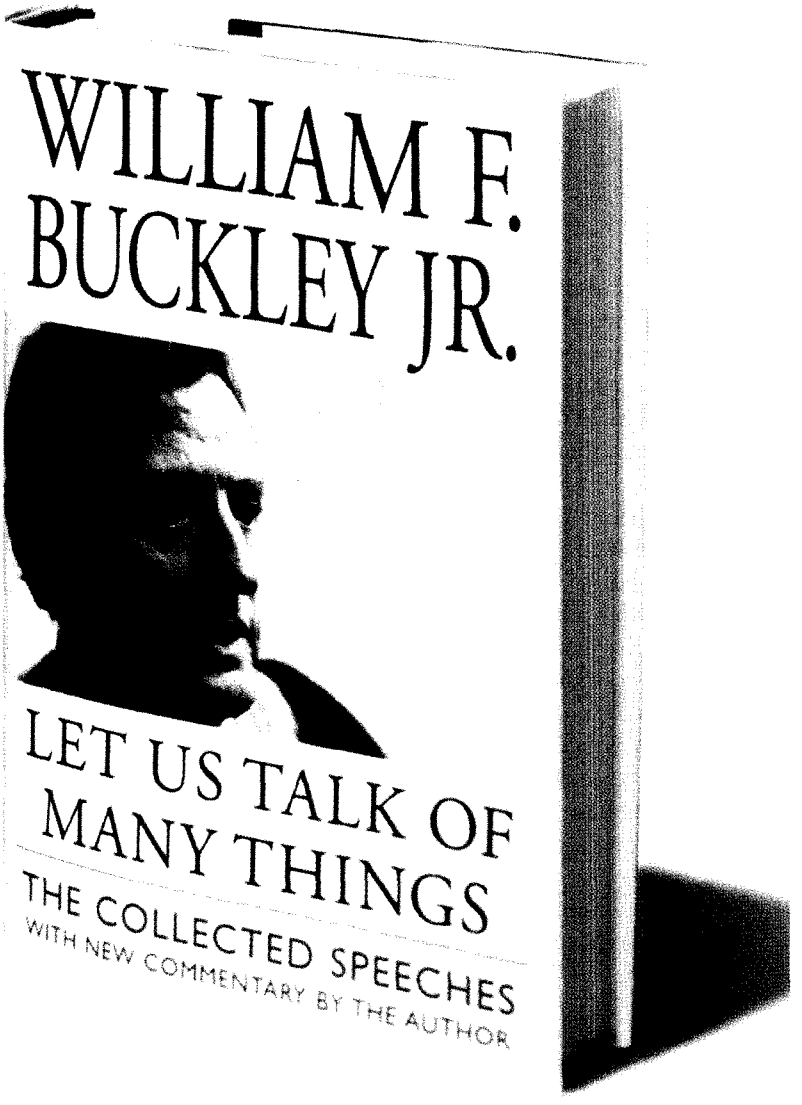

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would have ended with the disaster at Cape Kennedy in January 1967 that killed three astronauts. Instead, Apollo persevered in a fitful progress toward what had seemed a technological impossibility: putting a man on the moon. Similarly, the recent failure of the fifth of 19 scheduled missile-defense tests is the kind of setback inevitable in developing an extremely sophisticated technology. The missile interceptor itself never got a chance to perform because a rocket booster—a relatively low-tech part of the operation—failed. Other parts of the system performed well, including the crucial X-band radar that tracks the targeted incoming rocket. Now, it's back to the drawing board for adjustments in advance of the next test, possibly before the end of the year. Meanwhile, it seems Clinton will kick a decision on when to deploy off to his successor, which is just as well. His administration's grudging support for missile defense hasn't created a "rush to failure," as missile-defense critics like to say, but a drawn-out slog toward a system as limited as possible, lest the Russians or Chinese worry that their capability to annihilate U.S. cities be compromised.

■ Hoping to prevent Democrats from gaining ground on the issue, House Republicans have advanced their own unwise proposal to subsidize prescription drugs for the elderly. The subsidies may be hard to resist for politicians, but they are even harder to justify: Two out of three seniors already have drug coverage. The subsidies the Republicans propose would probably not be generous enough to entice insurers to offer the new benefits, which is just as well. If Republicans must provide a drug benefit, they should do so as part of a broader free-market reform of Medicare. Instead, Washington is reverting to its version of the Hippocratic oath: Do only harm.

■ Don Sundquist, a Republican, won election and reelection as governor of Tennessee by opposing the creation of a state income tax. For the last two years, however, establishing one has been his top priority. It's not as though revenues have been low: They are growing at a 7 percent clip this year. The state's budget problems stem from the state health-care plan instituted by Sundquist's Democratic predecessor. So far, conservatives have been successful in resisting Sundquist. Anti-taxers, organized by radio talk-show hosts, have repeatedly driven around the capital honking their horns in protest. When the legislature passed a budget without an income tax, Sundquist said the budget "fails our children" and asks teachers "to dream without hope." He used the threat of a government shutdown to bully the legislature. It defied him. Tennessee is free from an income tax for another year. It will have to wait until 2003 to be free of Sundquist.

■ Sometimes in politics, the strangest folks end up working together. Consider the case of Tibet: Last year, the Chinese government announced plans for a massive population-relocation project, which would have settled 58,000 ethnic Chinese and Hui Muslims in the Tibetan Qinghai province, currently the home of about 4,000 nomadic Buddhist farmers. China applied for a $160 million loan from the World Bank to finance this repopulation plan. Tibet's political forces swung into action, organizing a flurry of protests and meetings with U.S. officials. This time, though, it wasn't just Richard Gere, Nancy Pelosi, or the Beastie Boys standing next to the Dalai Lama—it was Jesse Helms, Connie Mack, and Chris Cox. The pro-Tibetan forces finally triumphed last week; while the project will likely go forward, the Chinese will at least have to pay for it out of their own pocket.

■ It is estimated that up to 800,000 people died in the merciless Hutu–Tutsi tribal warfare in Rwanda. Last week a seven-member panel of the Organization of African Unity issued a report blaming the U.S., France, and the United Nations for not stopping the slaughter. And not only that, but demanding reparations "in the name of both justice and accountability." Funds from the West: There's one cause, at least, on which African governments can show actual unity.

■ The modern democratic Left has abandoned grand schemes for restructuring society in favor of piffling "initiatives"—many of them, as one would expect from people who have dropped one set of principles without bothering to pick up another, violating the most ancient and fundamental of our freedoms. Such was British prime minister Tony Blair's recent proposal that the police be given the power to issue spot fines to unruly drunks. The proposal was quickly shot down by constitutional scholars. Then, to drive the point home, the gods who punish political hubris—and who have been giving Mr. Blair quite a lot of their attention lately—caused Blair's 16-year-old son Euan to be arrested in a London street, drunk and vomiting. Blair Senior allowed that it had not been his best day, but offered no answer to the question on everyone's lips: How do you pronounce "Euan"?

■ America's Episcopalians and Lutherans have announced a merger of most functions, calling to mind the sly advice that Jack Cashill offered Protestants in the *Wall Street Journal* some years back. Arguing that "there is just so much theological shelf space," Cashill suggested "consolidat[ing] the various name brands, even the strong flagship brands like Southern Baptist, into one identifiable, Exxon-like entity." Cashill's proposed name: Middle American Christian Church (MacChurch for short). The likely results of this merger will be good organists for everybody, but no strong need to play Bach.

■ Matt Ridley presents a spirited case for a non-coercive eugenics on page 34. The issue is obviously going to be an increasingly vexatious one, and we publish the article in order to advance the debate. It must be said that Ridley's speculations about the consequences, both scientific and social, of allowing the genetic engineering of human beings seem unduly rosy. It is perfectly fine to want children, or even to want children with particular qualities. But they must be wanted as gifts—wanted, that is, in a way that does not

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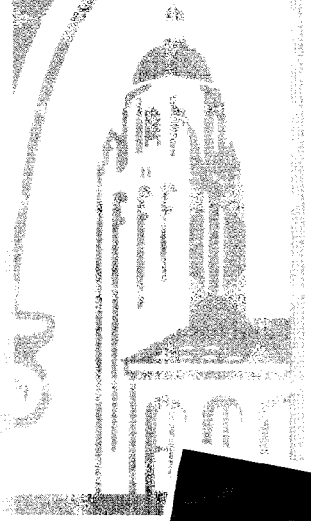
Free Lunch? Not When It Comes to Social Security

John B. Shoven is a senior fellow at the Hoover Institution and the Charles R. Schwab Professor of Economics at Stanford University.



Paid for by the Hoover Institution, Stanford University.

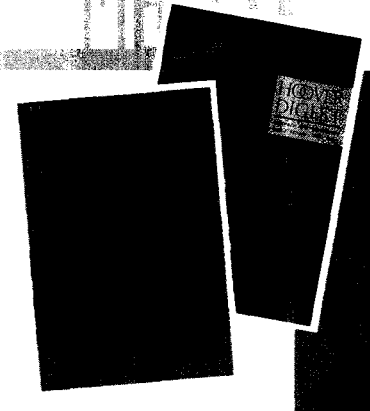
Every April the trustees of Social Security issue a forecast that the system will run out of money in the 2030s. The forecast also says that aggregate payroll tax receipts will fall below total retirement benefits in 2015. After that, the only way the program can stay afloat will be by cashing in the government IOUs (i.e., bonds) that it has accumulated over the years. The rest of the government will presumably redeem those bonds by raising taxes, cutting expenditures, or issuing new bonds to the public. Social Security will run out of bonds to redeem about twenty years later. At that time (roughly 2035), the revenues of the payroll tax will amount to about two-thirds of the annual benefits owed.

It doesn't take a financial genius to figure out that **there are only two options to solve Social Security's solvency problem: Promised benefits can be reduced, or contributions to the system can be increased.** Neither reducing benefits nor raising contributions, however, is politically attractive. Many people (including Vice President Gore and Governor Bush) are looking for less painful solutions. President Clinton and a number of policy analysts (such as Henry Aaron, Bob Ball, and Robert Reischauer) have come up with an idea—allow Social Security's central trust fund to invest in the stock market rather than in U.S. government bonds. They argue that the higher average return on stock investments would help the system's financial imbalance.

To understand the proposal, one needs to follow the money. The Social Security system, which is now running a cash flow surplus (due to the low birthrates in the Depression), turns the extra money over to the government in return for bonds. The government spends the money on defense, welfare, or whatever it chooses. If Social Security changes policy and begins using its surplus to buy stocks, then the rest of the government will have to borrow money from the public to maintain its other activities. Thus the government would institute a policy of borrowing from the public in order to buy stocks for the Social Security trust fund; this is called *buying stocks on margin.* Sometimes it works out well, but it is extremely risky. Hoover senior fellow Tom MaCurdy and I have simulated how this policy would work and find that the policy has about a 25 percent chance of making Social Security's finances worse rather than better. And this is not to mention the thorny corporate governance issues of Social Security's being a major shareholder in most U.S. corporations.

That the **government can't solve a serious financial problem by borrowing from the public** and buying stocks shouldn't surprise anyone. The saying "there's no such thing as a free lunch" applies to individuals, firms, and, unfortunately, Social Security. If you want to spot a real solution for Social Security, look for benefit cuts or contribution increases—any serious proposal needs one or the other.

— John B. Shoven



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reduce them in principle to the status of products brought into being for their parents' ends. On this point, Ridley's suggestion that homosexual parents have some sort of right to homosexual offspring is not reassuring. Nor does the example of in vitro fertilization prove that there are no dangers to allowing other forms of artificial reproduction; one could reasonably argue that the mere fact that we are talking about eugenics is testament to an unfortunate change in our outlook, worked in part by that example. Ridley says that we have more "respect" than ever before for children who suffer from Down syndrome. But this respect is quite compatible, as he notes, with killing more of them in the womb than ever before. The slope is indeed slippery, and we have already slid too far down it.

■ GLSEN (pronounced "glisten") is the Gay, Lesbian and Straight Education Network, a national organization for promoting "gay rights" in schools—including, according to its website, elementary schools. It is, of course, supported by contributions from large corporations (Kodak, American Airlines, Dockers Khakis) and taxpayers. It has, of course, the full backing of the public-employee and teacher unions, state legislatures, state governors both Republican and Democratic, the academy, the judiciary, and the press. Strangely, though, this organization—as respectable as the unqualified support of all the estates of the realm can make it, swilling in money both private and public—does not care for the content of its "youth-only workshops" to be made known to parents. When two concerned fathers in Massachusetts covertly taped one of these sessions and sent the tapes to radio talk shows, they brought down on their heads the full fury of the state's liberal establishment. The fathers, Brian Camenker and Scott Whiteman, are now being sued by another (different, but just as lavishly funded) homosexual group and may also face criminal charges. All in the name of "tolerance," of course.

■ *Boston Globe* columnist Jeff Jacoby is under fire, ostensibly because he wrote a column borrowing the main idea of an item that had been circulating on the web. The offense is trivial: The idea—that many of the signers of the Declaration of Independence paid a heavy price for their convictions—has been the subject of many essays. Jacoby did not simply copy the web item, but researched the subject and discarded much of the erroneous information in it. (NATIONAL REVIEW Online editor Jonah Goldberg did the same thing, and on a previous occasion reprinted the e-mail while noting he could not vouch for its accuracy.) It is hard to resist the conclusion that Jacoby is being punished by a liberal newspaper for heterodoxy. In 1997, the *Globe* harshly criticized Jacoby for having written a column suggesting that objectors to homosexuality were not morally equivalent to Nazis. That column, wrote the paper's ombudsman, was "a high price to pay for freedom of the press." At the moment, it appears that Jacoby is paying a heavy price for exercising that freedom.

NADER, RISING

Not like Poseidon, certainly,
But surely like the tides
That tug at sea-front properties,
Precipitating slides;
He's threatening Al's ocean view
And ruining the dunes
As W., lip-syncing, mouths
Ralph Nader's loony tunes.

—W. H. VON DREELE

■ The *Hartford Courant*, founded in 1764, has joined several other newspapers in apologizing for running advertisements for the sale of slaves, for the reward of capturing escaped slaves, etc. Apologized, that is, for its distant predecessors. Nothing intrinsically wrong with this, perhaps; but to seize moral superiority over people living in a distant era is easy, rather cheap, and smacks of a minimalist historical education.

■ This year's Wimbledon, the jewel of the four big tournaments, was notable in many respects, perhaps none more so than the phenomenon of the Williams sisters, Venus and Serena. Last year, Serena won the U.S. Open. This year Venus defeated her in the semifinals and went on to win the final. Among tennis prodigies, they are remarkable in other ways. Their mother Oracene, and their father Richard, a close student of the game, refused to push them too soon into fierce competition, despite the financial incentive to do so. Their schooling was attended to. They are graceful and high-spirited, joyful on and off the court. The Williams family has done it the right way.

■ Former New York mayor Ed Koch has proposed a statue of the late congresswoman Bella Abzug. (Let's just hope it's not one of the audioanimatronic Disney things that comes with a voice.) If Gotham wants a statue of an impossible woman, what about Ayn Rand? One advantage Rand has over Abzug is that she was a refugee from Communism, not a fellow traveler with it.

■ The Appalachian Mountain Club of New Hampshire has built a hiker's hut in the White Mountains, 4.6 miles from the nearest access road, with a wheelchair access ramp. Still not served: mountaineers with acrophobia.

■ THIS JUST IN. Early returns as NR went to press showed Bashar Assad, son of the late Hafez Assad, winning 97.29 percent of the vote in the race to succeed his father as president of Syria. Mr. Assad's lead was expected to hold up as the rural vote came in.

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NewsMax.com Breaks Liberal Media Monopoly

The Internet revolution will re-define America

BY ROBERT R. REGNAN

Control of the media by the liberal elites is almost history.

For more than five decades the left has controlled the major media outlets. Out was the "old journalism" based on facts and objectivity. In was the blatant propaganda masquerading as news.

Consider that in 1992 the Roper study found that 89% of the Washington press corps voted for Bill Clinton. Let that sink in. Almost 90% of the media elites in Washington wanted the Democratic candidate for president. Consider also the danger posed by such a fact.

We know that the founding fathers enshrined freedom of the press in the First Amendment. It is among our "first" freedoms because without it democratic societies will die. But the idea of a free press presupposes a diverse press.

Despite a plethora of media – broadcast TV, cable, print and radio – the liberal establishment had kept a lockgrip on news and information. Consider when one watches the major network news programs on ABC, NBC and CBS. They lead with the same stories, use the same talking heads, and have the same slant.

Major news organizations all seem to be on the same page. Look at coverage of the Elian Gonzalez controversy. Can anyone deny the coverage has been almost totally slanted against the boy's Miami relatives and the Cuban-American community?

One might have believed that the profusion of media outlets would have led to a media revolution. It didn't. In fact, the power of the media establishment has multiplied because biased news reports can now be bounced many times through the liberal media echo chamber of TV, radio, print and cable.

The Internet was hailed as a break through, but once again, major media outlets are scrambling to dominate the news market in this new arena. But their efforts may be in vain.

NewsMax.com Breaks the LockGrip

The Internet is already breaking the media establishment's control over the information flow.

One web site at the vanguard of this movement is NewsMax.com.

Founded in September of 1998, this news portal has become a major source of news for thinking individuals who want an alternative perspective. It's already been rated the #1 news web site by Deja.com.

Talkers magazine says NewsMax.com is "incredibly impressive" and now "the staple" for radio and TV hosts and producers across the country for news and story ideas. The *Wall Street Journal Business Report* recently featured NewsMax.com as one of the country's top alternative news sites, reporting it was revolutionizing "the information flow like Gutenberg's press." Prudential Securities Washington newsletter describes NewsMax.com as "a must read" and "one of the world's truly great news sites."

Noted journalist Arnaud de Borchgrave says NewsMax.com is a "news site for opinion-makers — a source for new news." Former *Times of London* Editor Lord William Rees-Mogg serves on NewsMax.com's advisory board. He says "it's one of the few outlets for news I trust in the U.S."

Edited by award-winning journalist Christopher Ruddy, NewsMax.com offers an array of writers with hard-hitting commentary, including former U.S. Congressman John LeBoutillier, Carl Limbacher, David Limbaugh, radio hosts Barry Farber, Neal Boortz and Michael Savage. Because NewsMax.com believes in diversity, it even offers columns from the likes of Hillary Clinton, Molly Ivins and others.

NewsMax.com understands a free society is predicated on the idea of a free press.

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CAMPAIGN 2000

Leadership Aborted

THE Supreme Court's decision striking down a ban on partial-birth abortion was wrapped in layers of mystification. The Court suggested that it might be willing to approve narrowly tailored bans that included an exception for the health of the mother. Informed people on both sides of the issue knew, however, that this gesture was meaningless. As several justices pointed out in their dissents, the Court was demanding a health exception that would let any abortionist claim that infanticide was medically necessary—an exception, in other words, that would make a nullity of any ban.

Presumably, George W. Bush's top-notch legal advisers knew this too. Yet he greeted the decision by saying that he was "disappointed," but hoped that he could devise a ban that would withstand constitutional scrutiny. Bush's disappointment should itself disappoint pro-lifers. The Court has slammed the door on any ban on partial-birth abortion, and the Bush campaign is misleading the public about the import of its decision.

Bush added that he would, unlike Gore, fight for a ban. But he did not say that the Court's decision was an outrage, or even that it was wrong. He did not say, as he surely could have, that the justices he admires most—such as Antonin Scalia and Clarence Thomas—had voted the right way. This is not a good omen for how Bush would conduct himself if he were president and the Supreme Court issued a similarly outrageous ruling.

Public opinion runs strongly against partial-birth abortion, and half the country opposes abortion generally. Moreover, opponents of abortion are much more likely than supporters to vote on the issue. A pro-life politician such as Bush ought to be able to use the issue to his advantage. There are only two ways the issue could hurt Bush. First, he could become overidentified with opposition to abortion, since most voters (sadly) do not rate it as a top issue or want to think about it. Bush's tepid remarks are clearly designed to guard against this possibility. But the greater risk is the second: that Bush, by temporizing, will embolden his enemies, demoralize his friends, and raise doubts among fence-sitters about his political character.

Gore will certainly attempt to use the issue against Bush. There are effective counterpunches. But they cannot be delivered while ducking.

THE MIDEAST

Clinton's Dreamscape

WE may dream, as President Clinton evidently does, that Camp David will be the latest, and even the final, scene of much busy signing by Israelis and Palestinians of documents on paper of the highest quality, adorned with seals of state, and all in a festival of handshakes and photo-ops, sweetness and light. A "peace process" is by definition a dreamscape of the highest order; it may or may not be related to peace itself.

For almost a decade now, carefully crafted documents have emerged from the Madrid conference, the accords known as Oslo I and Oslo II, and the Wye River talks, to mention only the most notable stations on this road to Calvary. But whatever the prior intentions may have been, neither party so far has been able to deliver on its commitments and agreements.

Israelis and Palestinians alike want peace, sincerely and even with anguish. But their conceptions of peace have nothing in common. Israelis ask for security, which means a continuing presence on the West Bank, and the maintenance of most of their settlements there, involving the fate of perhaps 150,000 people who live in them. They also ask for a Jerusalem of their own. Palestinians ask for the return of all their land, settlements included, and for a Jerusalem of *their* own. Even if a miracle of Clintonian fudging and dollars were to produce yet another round of signatures, these positions remain irreconcilable, continuing to generate hate and conflict.

According to a wise old proverb, a man should swallow a toad every day as a reminder of worse evils. Israeli prime minister Ehud Barak and Yasser Arafat for the Palestinians invite each other to swallow huge and indigestible toads. They are locked in a "fearful symmetry," to adapt a phrase from a great poet. Neither can deliver his constituency with any certainty. Barak's coalition government is collapsing around him. Should he swallow his toad and give the Palestinians what they seek, then half of Israel will turn against him implacably, in civil disobedience and worse. As a result of his regime of tyranny and corruption, Arafat has lost standing and relies increasingly on his police and security forces. Every day Sheikh Ahmed Yassin, his Islamic-fundamentalist rival, grows angrier and more intransigent. Should Arafat swallow his toad and give the Israelis what they seek, then half the Palestinians will turn against him in what might well prove to be civil war.

Edward Said has already given an example of what both Barak and Arafat can expect. This distinguished professor from Columbia University is widely considered the leading spokesman for the Palestinian cause. On a trip to Lebanon, he visited the chicken-wire fence erected to mark the frontier after Israel's recent withdrawal from its Lebanese security zone. And there he picked up a stone and hurled it at the Israelis on the far side. The terrorist movement Hezbollah, he also declared, had won "a military and moral victory" by driving the Israelis out. Years ago he was dubbed "the Professor of Terror," and he does nothing to repudiate that title.

Hoping no doubt to leave a legacy, President Clinton is playing with fire. To hustle with existential issues as profound as these has every potential to precipitate the violence that a "peace process" is designed to avoid. Professor Said's stone-throwing outburst restores the reality of hate and conflict so conspicuously missing from the Camp David dreamscape.

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IMMIGRATION

Migrant Thoughts

GEORGE W. BUSH has been addressing the immigration issue. His recommendations, which range from the trivial to the harmful, call to mind a doctor who prescribes two aspirin and a bottle of gin, and hopes the internal bleeding will stop by tomorrow.

Bush proposed breaking the Immigration and Naturalization Service into two agencies, splitting its service and enforcement functions. Improving service is a no-brainer: Would-be legal immigrants can wait up to two years to get their paperwork processed. The INS, always a backwater agency, decided not to computerize in the 1970s; all its catching-up since then has been jerry-rigged. Creating two different agencies may be more a managerial gimmick than a solution. But Bush's proposal is an honest effort to address a real problem.

This spring, Bush came out for raising the cap on H1-B visas. These nominally allow specialized workers to live here while they complete particular projects. Silicon Valley uses H1-Bs to get young foreign programmers here, in return for which companies promise to sponsor them for a green card; if the foreigner changes jobs once he arrives, naturally the promise of sponsorship vanishes. H1-Bs are in effect bonded labor, with a chance at citizenship dangled as a jackpot. We already reserve immigration slots for the specially talented (which are never entirely filled); H1-Bs help companies hire cheap workers, who may or may not be specially talented, and then let the country deal with them, and their relatives, afterwards.

Most of Bush's immigration position is rhetoric, and here his choice of words has been as bad as his choice of audiences. Bush wants America to "remain a nation of immigrants; a place where new Americans can come follow their dreams." But America is not in principle, and has not always been in fact, a nation of immigrants: Sometimes immigration has been high, sometimes low. The flow has risen and fallen according to conditions abroad, the country's needs, and our laws; the controlling factor should be prudence. One element of prudence is to make sure that new Americans entertain dreams that are acceptable to us. Assimilation is necessary, especially if America is a "propositional" nation; when new immigrants undercut the assimilating process, then it is time for a pause.

Bush recently bestowed his immigration thought-bites on the National Council of La Raza, the Ford Foundation's umbrella group of Hispanic activists. If assimilation is a solution, then pressure groups like La Raza are the problem. La Raza, incidentally, means "the people" (with a related sense of "the race"). If Bush had spoken to a white group called by such a name during the South Carolina primary, John McCain would now be the presumptive nominee.

There are real issues related to immigration that Bush, as a border-state governor who has good relations with Mexican leaders and some Mexican-American voters, would have special credibility to address. Dual citizenship is a rising factor in a world of cheap transportation. Dominican politicians routinely campaign in New York City, just as Mexican political parties send appeals to California. De facto dual citizenship arises in this country when children are not required to learn English, or when college students are encouraged to cluster in academic mini-ghettos. An earlier Republican politician made good use of the parable of the house divided.

In his feel-good session with The People, Bush opined that "family values don't stop at the Rio Grande." But the United States does. As governor of a state which revolted from Mexico after it filled up with American immigrants, Bush should be especially aware of that fact.

MEXICO

Right Turn

VICENTE FOX QUESADA, the new president-elect of Mexico, was not the handpicked choice of his predecessor—the first time in 70 years a true outsider has won a Mexican election. For pushing through the election reforms that allowed such a massive change to occur, the outgoing president Ernesto Zedillo deserves the credit that Gorbachev got but didn't earn, and that F. W. de Klerk earned but didn't get.

Fox's party, the PAN, was originally a small party of Catholic businessmen. Fox himself is a manufacturer of cowboy boots, and a former executive for Coca-Cola, who was educated by Jesuits. He and his party thus reflect two realities about Mexico that the former ruling party, the PRI, suppressed or obscured: that most Mexicans are religious; and that they work hard when given a chance.

The winner has a full agenda and many problems. He is a minority president—he won a three-way race—and PAN is still a minority in the Mexican congress, where the PRI holds a slight plurality, and leftist schismatics from the PRI form a third bloc. The potential for mischief and oppositional grandstanding, especially in the turbulent south, is huge.

Fox's first priority is to root out corruption (Lopez Portillo, one of his predecessors, was one of the first ruler-thieves in the world to break the billion-dollar barrier of self-enrichment). That means removing the corrupt from the ministries they inhabit like hermit crabs. In order not to alarm the bureaucracy, however, Fox has promised not to "harass" PRI-istas. This is prudent, so long as he intends to move them out over time.

He has also flagged honest taxation as a priority. In the familiar paradox of overgrown states, high taxes led to no taxes, as Mexicans worked off the books. If Fox can make the government honest, the people may become honest in return.

In his early comments on "migration"—what we know as immigration—he took a shot at Pat Buchanan. But his hopes, if realized, would fulfill Buchanan's wildest dreams. He wants

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7 percent growth a year to keep Mexicans home, and he called on 18 million of them living in the United States to come back.

His biggest problem with us, however, is drugs. Mexican officials, including one PRI presidential candidate, have been gunned down in mysterious circumstances. An orderly state can remove some of the conditions of lawlessness in which modern drug piracy flourishes. But so long as there is a powerful criminalized demand, the incentives to get rich by growing and bribing will be almost irresistible. Fox will get little help from American politicians in rethinking this problem.

Americans have been looking at Mexico and other Latin American countries with hope and disapproval for a long time. Henry Clay saw the emerging nations to the south as "an elder brother . . . rising, by the power and energy of his fine native genius, to the manly rank which nature, and nature's God, intended for him." John Quincy Adams, the secretary of state, was more skeptical: "Arbitrary power...was stamped upon their education, upon their habits, and upon all their institutions." For 170 years of Mexican independence, Adams was right. National characters don't change in one vote. Fox and PAN represent real strains in Mexican life; if they can institutionalize their attitudes, Mexicans will have a better government than they have been getting.

■ NOTES & ASIDES ■

■ Dear Mr. Buckley: Your scheme for addressing the AIDS pestilence (June 5) concludes with an astonishing bit of American condescension: ". . . it is sobering to reflect on other basic lessons which we haven't succeeded in communicating widely to African society."

Perhaps it's time to begin listening, rather than preaching, to our African friends.

At the recent World Congress of Families in Geneva, the causes of AIDS were specified by Kenyan physician Dr. Margaret Ogola, the medical director of a hospice for H.I.V.-positive orphans.

She spoke of the tribal religious taboos that once effectively prohibited sexual activity outside of marriage.

Those norms of sexual morality were shattered, she said, by the mass marketing of contraceptives, by the promotion of value-free education, and by "Planet Hollywood," which disseminates throughout the world the message that pleasure is the ultimate good.

In contrast to the more effective condom distribution that you urged in your column, there is a growing movement in Africa to reestablish sexual morality.

Is this an unthinkable option?

John A. Howard
Senior Fellow
The Howard Center for Family, Religion & Society
Rockford, Ill.

■ Dear Mr. Buckley I've always had trouble with the French verb *se gondoler* ("gondola" made into a reflexive verb), remembering it means something like "to laugh up one's sleeve," but not quite.

Now, thanks to National Review, I have the perfect illustration for it: "The Dance" (June 19)—Al Gore twisting tightly in discomfort after drinking yet again too much iced tea. *Se gondoler* is to contort oneself (like the boards that form the gondola) to stifle laughter. It's the same thing, except that when I think of "The Dance" I'll have to substitute a sly smile for the grimace and remember that always having desperately to be excusing oneself to go to the bathroom is a result, not of one's own intemperance, but of other people's risible foibles.

Sincerely yours,
Tom Repensek
New York, N.Y.

Dear Mr. Repensek: It is certainly amazing what causes the mind to travel as it does.

Cordially, WFB

■ Dear Mr. Buckley: I am sure that you grossly underestimate the extent of your German vocabulary (June 19).

You admit to only *Weltschmerz*, *Schadenfreude*, *Doppelgänger*, and *Dummkopf*.

But surely you must also know those happy words *Gesundheit* and *Gemütlichkeit*, and your *Weltanschauung* must encompass *Götterdämmerung* and, tragically, *Arbeit macht frei!* And then there are *Achtung!* and *Schnell!*

Finally, as a reader of your own magazine, you would have picked up *Ding an sich* from John Derbyshire's article on Home Depot.

Auf Wiedersehen!
Archibald Patterson
Johnson City, Tenn.

Dear Mr. Patterson: Well, yes, and of course there's *über alles* and *Stille Nacht*, but consider us illiterate in that language.

Cordially, WFB

■ Dear Mr. Buckley: When it comes to language, specifically in NR, as they might say in Chicagoland, "You duh man."

I came across, in "The Week," the word "kalends." Huh? Kalends? It sent me scurrying to my dictionary, which referred me to "calends," defined as the first day of the month in the ancient Roman calendar, from which days were counted back to the ides. An epiphany! I had never read, heard, or figured out how the ides was—were?—calculated, and had always simply assumed it was the 15th of the month, or thereabouts.

Gino Lucchetti
Oak Park, Ill.

Dear Mr. Lucchetti: Glad to have midwifed that for you.

Cordially,

—WFB

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■ CAMPAIGN 2000 ■

Class Clown

Gore's outdated rhetoric

RICHARD LOWRY

By Roman Genn

REPUBLICANS love to poke fun at the many incarnations of Al Gore, who seems, like a chrysalis, always in the process of becoming. But more important than the changes themselves is the question of whether he will find a tack that actually works. The latest version of the Gore campaign has the dressed-down and moussed-up vice president scourging, in painstakingly enunciated sound bites, every possible nasty business interest (except, oddly enough, rapacious landlords).

Gore-as-populist certainly makes more sense than his prior iterations. Immediately after the primaries the vice president became McGore, duplicating John McCain's campaign-finance-reform agenda, but, always an overachiever, taking it even further. Gore became McCain without the charm, a dreary prospect indeed since charm *was* McCain's appeal. Gore's corporate-bashing represents a more intelligent—and substantive—way to bottle McCain's thunder.

Voters enjoyed McCain's fighting spirit, which was refreshing in an age dominated by saccharine political rhetoric. It also marked him as "willing to stand up for what he believes," one of the most important qualities the public looks for in its politicians. The anti-corporate assault allows Gore to claim McCain's fighting mantle, without seeming personally nasty the way he did when attacking Bush as "arrogant" and "smug." It is doubly important for Gore to find an effective way to attack, because it is the *only* thing he's comfortable doing.

And the anti-corporate rhetoric actually connects to a substantive program in a way McCain's campaign-finance rants didn't. Gore quickly discovered that people don't care whether or not you spend "soft money." His new tack allows him to maintain the same anti-special-interest rhetoric, but in support of important political goals—in the case of Big Oil, diverting attention from his own energy policy; in the case of pharmaceutical companies, building support for his prescription-drug benefit; and so on through "corporate polluters," and Big Tobacco, and firearms manufacturers.

His rhetoric may well be a shrewd way to energize his base and attempt to reach elderly and working-class voters with a frankly populist appeal. But Gore also risks throwing away the lesson of Clinton's victory in 1996, muting the appeal of the administration's economic record, and running smack into powerful electoral and demographic forces that he had already retooled his campaign to take into account. (Eventually, all this retooling doubles back on itself.) The vice president's latest tactic calls into question whether the Third Way will have a second act.

In the Clinton White House in 1996 there was a dispute over how to talk about the economy. Labor secretary Robert Reich, in keeping with traditional liberal concerns, wanted to emphasize the economy's failings, the workers "left behind." Dick Morris urged the president to stay positive, heralding the economy's achievements in a way that helped make the public more optimistic, and, in turn, win those optimists over to his side.

Gore is now attempting a straddle, sounding like Reich in his assault on the new malefactors of wealth, and like Morris in touting "progress and prosperity." It's a contradictory combination. A populist assault on business usually requires the dire atmospherics of a recession to catch fire (this is why Pat Buchanan's populism seemed to have a future in the GOP in 1992, and now doesn't even seem to have a future in the rump Reform party). It's also tricky to sound anti-corporate and pro-capitalist at the same time. Gore and the Justice Department are open to the charge that they favor "progress and prosperity," so long as no one makes a profit or expands his business.

Old and New Democrats argue with each other about what was most responsible for Clinton's 1996 victory—defending popular entitlement programs and standing up to Newt Gingrich, or acceding to a balanced budget and muting the party's liberalism. But this is like debating what's most important in a car, the axles or the wheels. By eliminating his most obvious political vulnerabilities, Clinton's fiscal and social moderation paved the way for his defense of entitlement programs. Gore's anti-corporate jag risks upsetting the balance.

In the aftermath of the 1996 election, New Democrat strategist Will Marshall argued, "Whereas the Left's economic story mainly conveys fear of change and animosity toward U.S. businesses—usually depicted with all the subtlety of a Snidely Whiplash cartoon—progressives must craft a new narrative that appropriates the new symbols, lexicon, and techniques of the information age." This seems indisputable. On the other hand, as Ruy Teixeira and Joel Rogers demonstrate in their new book *America's Forgotten Majority*, New Democrats tend to exaggerate the decline of the white working class as an electoral force. New Democrat analysts, for instance, loosely categorize all "women" as a suburban, upscale constituency when many of them, of course, are low-income.

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Gore's Social Security savings-accounts proposal seemed to square this New Democrat/Old Democrat circle. It acknowledged that a new, healthy force is afoot in the economy—e.g., widely available stock ownership—and at the same time it explicitly aimed to help lower- and middle-income workers avail themselves of it. But the latest anti-corporate swing puts Gore right back in Snidely Whiplash territory—especially if George W. Bush makes him pay a price for his rhetoric by identifying it with the old McGovern/Mondale liberalism.

Which remains in doubt. Bush likes business in the west Texas, down-and-dirty sense. He has an instinctive distaste for Wall Street, populated by Ivy Leaguers with slicked-back hair and pin-striped suits, so he may not be inclined to stick up for corporate profits. Also, his compassionate-conservative message is suffused with Catholic social teachings skeptical of unbridled capitalism. Finally, he's built his campaign around the idea that people will have to disregard the good times to elect him—if people care only about Wall Street, he says on the stump, then I'll still be the governor of Texas in November.

Bush, therefore, has failed to take full advantage of a traditional Republican strength, and an absolutely crucial issue in any presidential election: stewardship of the economy. He raps the Clinton administration for thinking it "invented prosperity," and has a line about how his tax cut will provide insurance against a recession, but that's about it. Even this half-hearted effort has propelled him ahead of Gore. According to a Rasmussen survey, just 27 percent of people think a Gore win would be good for the economy, while 38 percent say it would be bad. Voters are about evenly split on a Bush victory.

This traditional strength of Republicans should be all the stronger in light of "the new investor class." In his latest stump speech, Gore sets up an opposition between "the people" and "the power." This is a notion as outdated as it sounds. Today's captains of industry are associated with technologies that increase personal autonomy and choice. In the popular imagination, they aren't cheating the little guy, but empowering him: Bill Gates, for example, has been ruled a monopolist but remains one of the most popular figures in the country. Three times as many people credit him with the robust economy than attribute it to Bill Clinton. It helps that millions of people own a piece of Microsoft.

And just as important as stock ownership is the force of aspiration. The newly populist Gore recently rapped the GOP death-tax repeal for giving "away the store to those who already own the shopping center." But 65 House Democrats voted for the repeal exactly because they have constituents who hope to own shopping centers. In boom-time America especially, small businesses can aspire to become evil corporations, and middle-class people to earn enough money—perhaps partly through investing in firms like Merck or Pfizer—to become the targets of the Democrats' rhetorical ire.

In short, Al Gore has decided to turn populist at a time when Dr. Johnson's old dictum has never looked quite so apt: "Sir, a man is seldom so innocently employed as in making money." **NR**

■ **CAMPAIGN 2000 II** ■

Missing Men

The Democrats Gore's not getting

KATE O'BEIRNE

AL GORE may not be the first landlord to face labor problems, but his are more serious than most: The disaffection of two powerful union bosses, and the defection of their rank and file to George W. Bush, could cost him the White House. The United Auto Workers and the Teamsters refused to join the John Sweeney-engineered early AFL-CIO endorsement of Gore last year, and it now appears there will be no late endorsement either.

In response to Gore's "holding hands with the profiteers of the world," by supporting normal trade relations for China, UAW president Stephen P. Yokich has threatened to back Ralph Nader. Teamsters president James P. Hoffa will poll his members on their presidential preference later this month, when he will also be meeting with Yokich to discuss a "united front" on declining to endorse Gore. This campaign season, the fratricide follies are taking place smack in the middle of the Democratic base.

While Yokich and Hoffa threaten to sit on their hands—and thus to imperil Gore's chances of winning crucial states such as Michigan, Ohio, Pennsylvania, and Illinois—many of their 2.2 million members will be more proactive. A Teamster official readily admits that a failure to endorse Gore would be "a major plus for Bush"—and would be just fine with many of the union's members. The Teamsters' rank and file favored Bush in a poll of members last fall. The Teamster official assumes that—in spite of Bush's support for free trade—the staunchly protectionist UAW's internal polls indicate similar support for the Texas governor. Union leaders dare not get too far out of step with their members.

The Teamster official attributes the AFL-CIO's endorsement of Gore to the fact that American Federation of State, County, and Municipal Employees president Gerald McEntee "drives that side of the equation," and public-sector union members have a greater affinity with the Democratic party than blue-collar workers do.

Gore's liberal orthodoxy on gun control and abortion exacerbates the long-standing problem of trying to keep working-class voters inside the Democratic coalition. The Teamster staffer says that Bush, meanwhile, "has moved into areas that have broad appeal to our members." Recent polls bear this out: Last month's bipartisan Battleground 2000 poll showed union voters split, with 47 percent supporting Bush, and 46 percent backing Gore. The support of private-sector union workers contributed to Bush's crushing 23-point lead among men (he and Gore are tied among women).

Polls also consistently show Bush with 90 percent support from Republicans, while fewer than 80 percent of Democrats support Gore. This shortfall cannot be attributed to liberals, as the conventional wisdom main-

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tains. Instead, the AWOL Gore voters are primarily blue-collar males between the ages of 18 and 35. Gore has largely solidified his liberal base, so he currently has the Dukakis vote—which is short on more conservative Democrats and independents. Gore's populist attacks on drug companies, gun manufacturers, and big oil will enthuse his antibusiness base, but will probably be little help in appealing to younger males, who are too busy hunting and driving the kind of cars Al Gore would outlaw to worry about their grandparents' prescription-drug costs.

Ed Goeas, the Republican half of the team that does the Battleground poll, explains that his survey found 28 percent of conservative Democrats supporting Bush, but only 9 percent of more liberal Democrats. "Bush is backdooring the union vote, much as Reagan did in 1980," according to Goeas.

"Younger, blue-collar males are the soccer moms of this election," declares Bush strategist Karl Rove. He welcomes the clout of these new swing voters, because he knows that these guys like his candidate. According to Rove, the governor's appeal to this group is not fatally handicapped by his support for free trade, because that issue is of concern to them only indirectly, as something that affects their unions. Rove argues that these voters take a far more personal view of issues like taxes, education, gun rights, and the moral climate, where Bush is in step with the rank and file.

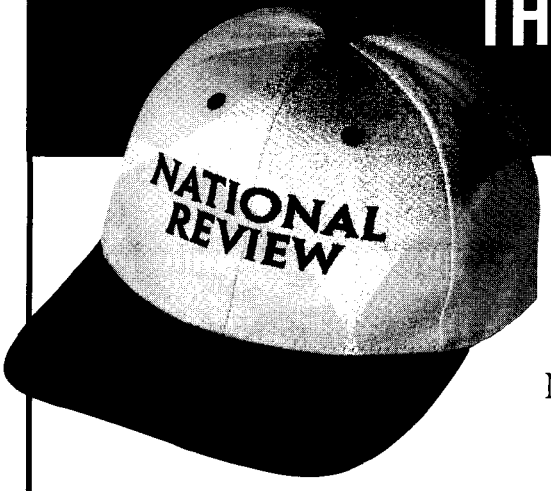
Bush has also been courting friendly union leaders. He recently talked by phone with the Teamsters' executive board, and routinely meets with local union officials during campaign trips. Bush had a private meeting with Hoffa several weeks ago, and the Teamsters' boss tells associates that he thinks the governor is "a guy's guy." Hoffa also reports that the claim that Gore is more winning in private than in public is "not true." Hoffa's members, without the benefit of personal meetings, apparently agree with their president's assessment: Bush is a nondrinker you'd want to have a beer with.

Union leaders have now begun feuding over the dissension in their ranks, with the teachers' unions urging their labor comrades to abandon trade as a single issue. The Teamsters retort that the teachers have a single issue of their own in their hysterical opposition to vouchers. Hoffa's team takes some pleasure in how the Teamsters' and the UAW's estrangement from Gore undermines John Sweeney; they chortle about the Gore campaign's "faux pas" in not giving the AFL-CIO chief advance warning that Bill Daley, his nemesis on trade, was taking over from Tony Coelho.

The new swing voters take a more personal view of issues like taxes, education, gun rights, and the moral climate.

Meanwhile, Ralph Nader's campaign confronts the Democrats with their first serious challenge from a left-wing third party since Henry Wallace ran in 1948. Some of Nader's supporters are pledging that he won't play a spoiler role. According to one Democratic operative, they are reassuring the party that Nader will only mount a serious challenge in states where Gore is either so far ahead, or behind, that a third-party bid won't affect him.

There is no evidence, however, that Nader himself has made any such commitment, and a recent Michigan poll provided the latest evidence of the trouble he could cause Gore. Six weeks ago, Bush was down by one point in Michigan. Since then, the DNC has spent $1.2 million on issue ads in the state to boost Gore's message, and Bush now leads Gore by five points. When a recent poll of likely voters factored in Nader, he got eight points, leaving Bush with a *twelve*-point lead. If the UAW and the Teamsters sit on the sidelines in this year's presidential race—and Gore loses—it might be time to stop talking about a "conservative crack-up," and start watching the Democratic one. **NR**



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■ CAMPAIGN 2000 III ■

Car Crazy

Al Gore, automotive engineer

HENRY PAYNE &

DIANE KATZ

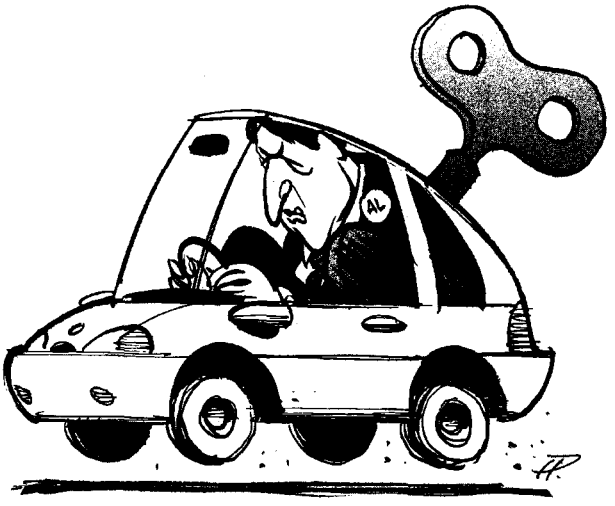
OIL is the enemy, Al Gore insists, posing a threat more deadly than any military foe. He says so on page 325 of his book *Earth in the Balance*, the green equivalent of the Book of Revelation. But Candidate Gore knows that limiting fuel consumption by hiking gasoline taxes would be political suicide. So he's trying tax bribery instead, proposing $150 billion in federal subsidies for the development and purchase of alternative fuels and vehicles.

Automakers have yet to design a marketable vehicle without an internal-combustion engine. There's no fathomable reason—environmental, economic, or otherwise—for them to do so. But Gore is convinced that if Detroit only builds it, buyers will come. Or, in this case, the government will buy it using our money. Under his plan, taxpayers would pony up a $6,000 subsidy for every "clean" vehicle purchased. We must do this, says Gore, because America is captive to "Big Oil" and "Foreign Oil"; and Earth will turn hotter than a V8 in rush hour unless greenhouse gases are severely curtailed.

Unveiled just as summer pump prices peaked, the Gore energy policy consists of tax credits, grants, and other giveaways to offset the uncompetitive cost of solar energy, windmills, and methane gas sucked from garbage dumps. Some $12 billion is also set aside for the vehicle-purchase subsidies, and hundreds of millions more for automotive R&D. The biggest chunk would actually forgive royalty payments due the government for natural-gas exploration, thereby enriching the very corporate giants the Clinton-Gore administration is now investigating for price-gouging on petroleum.

Every premise underlying Gore's plan is flawed—which is typical of government remedies, of course. More troubling is the vice president's obvious mistrust of market forces to optimize resources and spur technological innovation when supplies run thin. He prefers 1970s-style central planning, the futility of which should have been thoroughly demonstrated to all.

Anticipating a world in which the central organizing principle is the Kyoto Treaty, Gore is determined to reimpose on consumers engine technologies that Americans long ago rejected in favor of the internal-combustion engine. It is not without reason that only 0.2 percent of the world's 650 million vehicles are powered by energy sources other than gasoline or diesel fuel. Around 1900, electric and steam-powered engines were common, and demand held steady so long as they were easier to start than a balky gas-powered model, which had a crank. But by 1912, the advent of the electric starter—along with an abundant supply of petroleum—had settled the contest, and the internal-combustion engine has dominated the roads ever since.



By Henry Payne

That drives Gore and other environmentalists around the bend. "It makes little sense," he says, "for each of us to burn up all the energy necessary to travel with several thousand pounds of metal wherever we go" (never mind the *freedom* this mobility provides us). Thus the Clinton-Gore administration has in the past six years poured more than $1 billion into its Partnership for a New Generation of Vehicles, under which seven agencies, 15 federal labs, and dozens of universities are working to design a "clean" car.

The Big Three automakers, too, have spent billions on this project, the aim of which is to produce an affordable sedan capable of achieving 80 miles per gallon by 2010. Consumers aren't clamoring for such a vehicle—light-truck sales, in fact, now constitute nearly half of all new sales. But "partnering" with the feds is simply the cost of forestalling higher fuel-economy standards that would inhibit sales of automakers' most profitable products.

Onerous environmental mandates, in fact, are a major factor in the consolidation frenzy that has featured the merger or acquisition of some 13 auto companies in just two years. Smaller manufacturers such as Suzuki, Nissan, and Mitsubishi simply can't afford the regulatory burden prescribed by the Kyoto Treaty.

The truth is, today's new cars emit but a fraction of the air pollutants spewed by models of the 1970s—97.6 percent fewer hydrocarbons, for example. And average fuel economy has greatly increased, growing from 14.2 miles per gallon in 1974 to 24 today—including light trucks, sport-utility vehicles, and minivans. Even the Environmental Protection Agency acknowledges that air quality has vastly improved.

The Gore scheme invites the very miscalculations that characterized the recent electric-vehicle fiasco. Forced to produce a zero-emission vehicle to satisfy California regulators rather than the market, automakers spent billions on products that lacked comfort, power, and convenience. General Motors, for example, spent $350 million to develop the EV-1. GM discontinued the car last winter, then recalled hundreds of the vehicles because of a design defect in the charging system for which the company had no fix. Honda, too, abandoned its

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electric-car effort last year to focus on improving the efficiency of its conventional fleet. So impractical was the mandate, in fact, that California regulators have postponed their zero-emission requirement until 2003.

Even the massive funding proposed by Gore cannot sidestep the technological dilemmas that still confront alternative vehicles. Closest to production is the "hybrid," which runs on a small engine—typically diesel—coupled with an electric motor charged by energy created when the vehicle brakes. Its fuel economy is impressive, but at a cost of greater concentrations of nitrogen oxides and particulates. The prototypes of the hybrid unveiled earlier this year at the Detroit auto show—Ford's Prodigy and GM's Precept—would, in fact, violate California clean-air standards. Nor are consumers likely to be won over by a car that sacrifices cargo space to make room for a rear-mounted power train—and in which the air conditioning runs only when the car is in motion.

■

The massive funding proposed by Gore cannot sidestep the technological dilemmas that confront alternative vehicles.

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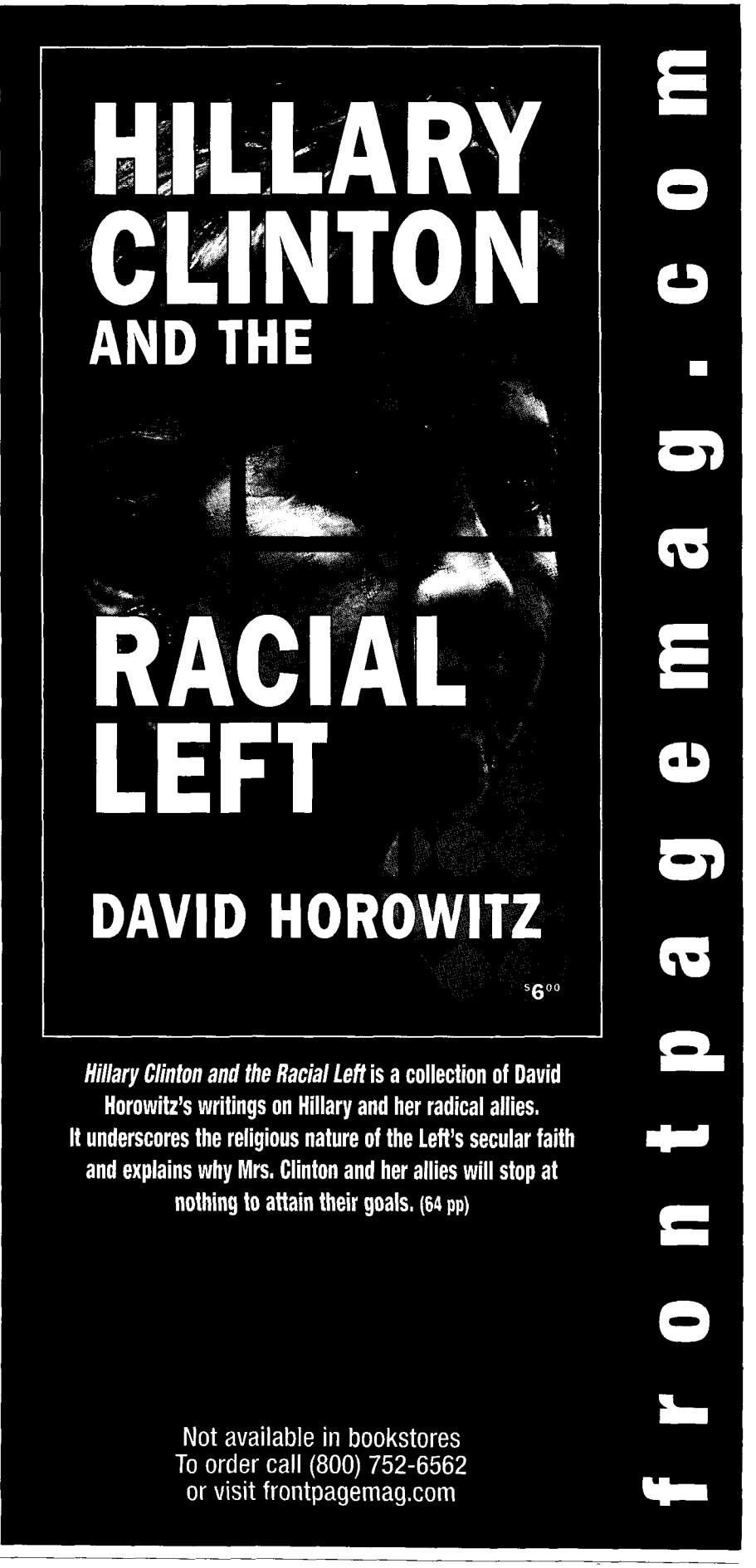
Car and Driver in its July issue says that a Durango hybrid from Dodge is "within a tax credit of profitability." That is, DaimlerChrysler officials will manufacture the truck only if a federal subsidy is forthcoming. What we have, then, is a spanking new model that nobody will buy without a $3,000 bailout from taxpayers. We note, however, that it would take 120,000 miles (at $1.50 a gallon) to recover in fuel savings the $3,000 premium.

Ever the model for government/industry partnerships, Tokyo is reportedly offering subsidies approaching $8,000 on two hybrid vehicles—the Toyota Prius and the Honda Insight. But Toyota is expected to lose some $20,000 on every Prius sold when it is introduced in the United States this August, with a sticker price of $19,995. Meanwhile, Honda's Insight has been in American dealerships for seven months, costing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$20,080 (a comparable gas-powered Honda Civic costs only $12,000)—but Honda has used it mainly as an environmental showhorse, shipping only five per dealer.

On the other side of the Atlantic, Volkswagen grabbed headlines across Europe last year when it introduced the Lupo "3-liter" car (so-called because it can go 100 kilometers on three liters of gas—about 90 miles to the gallon). Such a vehicle does not require a massive government subsidy in Europe because there is actually a market for it. The socialist governments there levy massive gas taxes, driving prices into the neighborhood of $5 a gallon. Still, American environmentalists frown on the Lupo: Its diesel engines emit far too much particulate matter for their taste.

Supposedly holding greater promise are fuel cells. These rely on a chemical reaction between hydrogen and oxygen to produce electricity for horsepower. DaimlerChrysler, for example, will invest nearly $1.5 billion in fuel cells in five years, and all the major automakers have entered joint ventures for fuel-cell development. Were they the least convinced that the investment would yield a commensurate return, it's likely they would go it alone.

But cost is a problem, with a fuel-cell engine—at $30,000—costing ten times more than a conventional engine. Also, fuel-cell components are big, which cuts acceleration, and noisy because of the air compressors necessary to force oxygen through the cell. But the biggest drawback is the volatility of hydrogen. Few drivers would relish the idea of cruising the highways with tanks of this explosive stuff in the trunk (*Hindenburg*, anyone?). Engineers have devised onboard "reformers," which can extract hydrogen from more benign fuels such as methanol. But these, too, are heavy and bulky, interfering with performance. Nor does a refueling infrastructure—on the order of gas stations—exist.

There will be collateral uses for all of this technology, of course. But affluence is the best ally of innovation. And to the extent that we misdirect resources, we forego potentially life-saving and life-enhancing technological advances. And that is far more dangerous than any of the environmental threats conjured up by Al Gore. **NR**

■ THE LAW ■

An Abortion Fumble

And how Bush can recover

MICHAEL M. UHLMANN

AFTER a few rocky moments earlier this year, George W. Bush finally solidified his credentials on abortion and earned the respect of many pro-life leaders. The main question now is not what he believes, but how he plans to explain himself. And on this point he needs help. Witness his reaction to the Supreme Court's monstrous decision in *Stenberg* v. *Carhart*, the Nebraska partial-birth-abortion case.

The principal teaching of the abortion cases is that if a woman wants an abortion, the Constitution guarantees her right to get one. Abortion-on-demand has been the default mode of the Court for almost 30 years now. *Carhart* confirms as much, and demonstrates that the constitutionality of abortion regulations will be determined by ideology, not facts. Abortion may not be restricted, the Court ruled in 1992, if the regulation imposes an "undue burden" on the woman. *Carhart* establishes that any serious restriction is unlikely to pass this test. Not the age or physical condition of the child, not the absence of any credible threat to maternal health, not the state's interest in protecting a partially delivered child—none of that could suffice to overcome the supervening right of a pregnant woman to abort.

The decision also supports the previously latent suggestion that the right to abort includes the right to a dead child—even a child capable of surviving the abortion. Once marked for extinction, apparently, always marked for extinction. *Carhart* raises the obvious question: What about a child who is fully delivered? The distinction between partial-birth abortion and infanticide is, after all, a question of millimeters, and the Court has repeatedly indicated that the mother's interest, not the child's, is the exclusive focus of constitutional concern. Whether the justices understand the full import of their own argument is irrelevant. The iron law of logic carries an argument to the conclusion buried in its premises. In James Burnham's formulation, Who says A must say B.

The strongest sentiment Bush could convey about the horror of *Carhart* was that he was "disappointed." He added, "I hope to be able to come up with a law that meets the constitutional scrutiny." And he reaffirmed that he will "fight" for a ban on partial-birth abortion. Now, "hope to be able to come up with" is a noticeably weak construction that, if nothing else, robs "fight" of any teeth it might otherwise possess. (Imagine Justice Scalia writing in dissent, "I am disappointed by the majority's decision. In a future case, I hope to be able to come up with some kind of an opinion that captures their favor.")

This simply won't do. Bush has had plenty of time to think about his position on abortion. The question, after all, has been contested ferociously in every imaginable forum. Yet the issue that has agitated the nation as none other for more than a generation seems not to have engaged Bush's focused attention. To be sure, he has repeatedly noted his opposition to partial-birth abortion. But the Supreme Court just ruled that a partially delivered child can have her brain sucked out and her skull crushed, bestowing on this butchery the status of a constitutional right. And the governor allowed that he was *disappointed*.

Bush and his advisers clearly have a lot to learn about the political dynamics of abortion. His policy appears to be one of friendly noninvolvement: Express pro-life sentiments, but shy from engaging the issue. This strategy has at least two defects: It assumes that Al Gore will play by the same rules (he won't); and it ignores the necessary implications of Bush's own statements.

Consider, for example, Bush's promise

Mr. Uhlmann, as counsel to Sen. James L. Buckley of New York, was the principal drafter of the original Human Life Amendment. He later served as special assistant to President Reagan.

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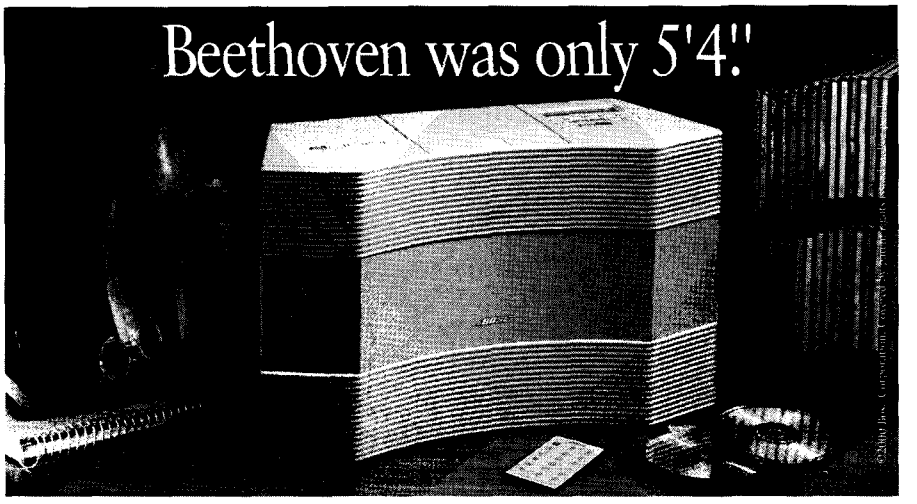
"to come up with a law that meets the constitutional scrutiny." The Supreme Court has made clear that any statute will almost certainly have to include a maternal-health exception. "Health," the Court ruled years ago, means "mental health," and mental health in the abortion context means that whatever Lola wants, Lola gets. Lola will get her abortion as long as a doctor is willing to take up the scalpel. A health exception, as the *Carhart* dissenters noted, would eviscerate any statutory prohibition. Everyone knows this—but does Bush?

Al Gore's own statement on the decision gives a hint of what lies ahead. It too underplayed *Carhart*, but in a strategically useful way by including a sentence that ought to give Bush the chills: "A woman's right to choose must include the right not to be forced to undergo a procedure that might endanger her life or health." Never mind that all competent medical authority denies that maternal health *ever* requires partial-birth abortion. Gore will defend "choice" and "maternal health," running as a moderate who wants to protect "settled" constitutional precedent. Bush inspires no confidence that he is prepared to offer an effective response.

A comparison of the candidates' websites confirms this judgment. While Gore's two official sites contain plenty of red meat to satisfy pro-choice appetites, Bush's avoids controversy. There you will find four muted bullet-points:

- *Pro-life with exceptions for rape, incest and life of mother*
- *Set the goal that all children should be welcomed in life and protected by law*
- *Supports parental notification, banning use of taxpayer funds for abortion, and banning partial birth abortion*
- *Supports efforts to increase adoptions*

The second and fourth points are so bland that even Gore could embrace them; the first and third will prove impotent against the Democrats' predictable assault. That third point, as it touches partial-birth abortion, has just been blown away by the Court. Gore will say: "I too favor a ban on partial-birth abortion, but I agree with the Supreme



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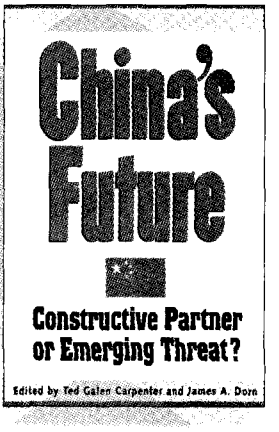

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Relations between the United States and the People's Republic of China have become erratic and contradictory. Is China a rising colossus that intends to bully its neighbors, or is it a country that has already moved far along the road to a market economy and open society committed to cooperation with the United States? The distinguished contributors to the book examine those questions and their implications for U.S. policy.

Whether China's future is as a constructive partner or an emerging threat ultimately will depend, says Liu Junning in his chapter, "on the fate of liberalism in China: a liberal China will be a constructive partner."

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Court that any such restriction must protect the woman's health. I cannot understand why the Governor is so callously indifferent to protecting maternal health in these tragic and very personal decisions."

Bush's wish to avoid the abortion minefield is understandable, but the logic of events, and of his own prior statements, will inevitably drive him there. How can he reply? He needs to change the terms of the debate. As long as the issue is a matter of "the right to choose," he will lose the argument, because the "choice" mantra has been drilled relentlessly into American heads. Bush's main chance—maybe his only chance—is to refocus attention on the child who is killed. Here is some advice:

1) Issue a new statement that describes the partial-birth-abortion procedure. Take your text from the Court's dissenters. The public needs to shudder at the horror of the act.

2) Summarize the *Carhart* decision: It is now impossible to restrict this barbaric practice in any meaningful way. Quote again from the dissenting opinions.

3) Acknowledge that you and Gore disagree on abortion; the split between you mirrors that in the electorate. Say that this division will not soon heal, adding, "In the meantime, I will use my powers of persuasion and the powers of the presidency, as permitted by the Constitution, to keep abortion within all reasonable limits." Follow Ronald Reagan's playbook.

4) Cite the massive opposition to partial-birth abortion and the specter of infanticide. Cite Sen. Daniel Patrick Moynihan on the difficulty of distinguishing between the two.

5) Endorse the bill introduced by Rep. Charles Canady that would protect children born alive even if they are "premature." Say, "Now that the people are prevented from enacting effective legislation to ban partial-birth abortion, this bill is the surest way to prevent a slide into constitutionally sanctioned infanticide. The right of the people to express their sense on so important a matter must not be surrendered to the judiciary. Reasonable people can disagree about abortion, but surely they will wish to protect a child already born. Let this election become a plebiscite. Up or down: Should the Constitution protect that child? Mr. Gore, what is your answer?"

6) Let Gore make fine points about law—agree to disagree, but keep attention riveted on the child: "Mr. Gore, will you or will you not protect her?"

By talking about a palpable human being, whose physiognomy even the dullest intelligence can easily conjure, Bush will find a position that is safer to argue than anything else in this perilous area. Such a strategy comports with the views of 70 percent or more of the people. It may be the only strategy that can put Gore, who now holds the rhetorical high ground, on the defensive. **NR**

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■ MEXICO ■

Outfoxed

What happened to the ruling party

DICK MORRIS

VICENTE FOX, the president-elect of Mexico, has swept through his country like a hurricane, utterly transforming its politics. A blend of charisma and competence, Fox brings a thoroughly globalist approach to Mexican politics, economics, and national priorities. If you lived in Mexico, you would not only vote for him, you'd want to hire him to run your company; you'd probably also want him as a friend and neighbor.

In the global politics of the new millennium, there is room for only two political parties: *New York Times* columnist Tom Friedman describes them as the Lexus party (globalists) and the Olive Tree party (nostalgic nationalists). Fox is most definitely Mexico's Lexus candidate. The leftist Democratic Revolutionary party (PRD), represented feebly in the recent campaign by Mexico City mayor Cuauhtémoc

Mr. Morris served as a campaign consultant to Vicente Fox.

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Cárdenas, stands for the Olive Tree. The ruling Institutional Revolutionary party (PRI) is neither; for many years, it was devoted chiefly to maintaining itself in power.

When the PRI finally crashed early this month, the fear that had kept it in power vanished with it. The PRI had

■

Fox wants to drag his country, to some extent kicking and screaming, into the First World.

■

reigned for 71 years—three fewer than the Communist party in the Soviet Union. To borrow once again from Friedman's artful phrasing, the PRI has been a "kleptocracy"—a government and a party based on corruption, bribery, and theft. With this defeat, the PRI will vanish. Without the lifeblood of drug money, government kickbacks, and rake-offs on oil profits, the PRI will be unable to sustain itself; it will wither and die, leaving Mexico to choose between Fox's globalist, nominally conservative National Action party (PAN) and a nostalgic, socialistic PRD.

Fox wants to drag his country, to some extent kicking and screaming, into the First World. Can Fox truly change Mexico? Absolutely. The Mexican congress won't be an obstacle. While the PAN holds only 38 percent of the seats, the 36 percent held by the PRI will be for sale or, at least, for rent. Reflexively trained to genuflect before power, the PRI is no more equipped for life in the opposition wilderness than a polar bear is for Mexican weather. The presidency in Mexico is uniquely strong, and Fox's intellect, charisma, and leadership ability will give him powers beyond those of the existing institution.

The task of financing his plans for a new Mexico—he wants, for example, to double education spending—will be made easier by Pemex, the nationalized oil company. Pemex's administrators have managed, over the years, to steal what little money they didn't waste. Between their mismanagement and corruption, they have appropriated the

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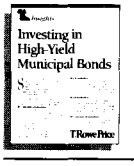

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bulk of the money Mexico needs for modernization. About one-third of the nation's revenue still comes from its oil production, and even when petroleum prices return to earth, Fox will be able to tap huge new revenues by efficiently operating Pemex.

He needn't privatize the oil company (he pledged not to in the campaign). He has only to revitalize it through an infusion of honest, professional, nonpolitical management. Fox knows how to do that: Just watch him.

Fox has already demonstrated an ability to understand, outmaneuver, and leapfrog the bureaucracy. This will be a challenge akin to underwater dancing, but the experience of the campaign has prepared him for it: Interviews with Fox on Mexican television were blacked out, with viewers of the nation's largest stations getting nothing but static or a test pattern pleading technical difficulties. Newscasters would blandly lead the news with such statements as: "Tonight there is new evidence of Vicente Fox's criminal activities in accepting illegal campaign contributions." When Fox appeared on national radio, the station signal would mysteriously fail to reach the large cities.

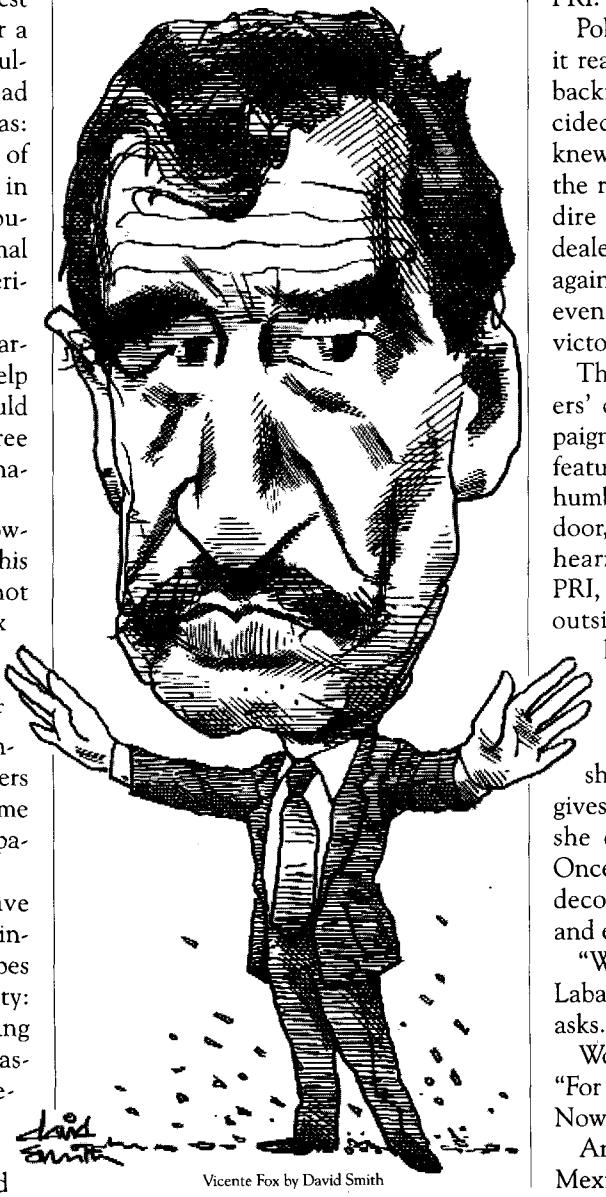
And it wasn't just the media that participated in these shady efforts to help the PRI. The police, for example, would hold up the Fox motorcade for three hours, on a rural road, without explanation.

Fox's personality and message, however, were so forceful that even all this underhanded PRI activity could not overcome it. In his campaign ads, Fox spoke directly to the people of Mexico, ignoring the barrage of negatives and focusing on a vision of change and hope. As the PRI continued to preach a message of anger, voters responded to the Fox ads as a welcome break in the fog of government propaganda.

The PRI never saw the tidal wave that was about to hit them, and continued to do business as usual. The bribes were breathtaking in their audacity: The PRI was offering people washing machines, refrigerators, bicycles, baskets of food, cement, farm implements, and, of course, cash in return for their votes.

The party also used the famed "carousel" to ensure that the bribes worked: Fifty PRI voters would assemble on election day in a loyalist's home. The PRI would drive the first voter to the polls. There, the inspector would hand him a blank ballot. The voter would not cast the ballot, but pocket it and take it back to the safe house. The PRI member running the "carousel" would mark the ballot for the PRI, and send a second man to the polls with the marked ballot. He'd cast the marked ballot, get a blank one from the inspector, and bring the new ballot back to the house. On turning in the blank, he'd get his "gift," and the process would be repeated until all 50 had voted for the PRI.

The real tribute to Fox is that he instilled in poor Mexican peasants the courage to defy intimidation.



Vicente Fox by David Smith

The real tribute to Fox is that he instilled in poor Mexican peasants the courage to defy intimidation, and to turn down bribes in order to vote for democracy, honest government, and social progress.

I was a consultant to Vicente Fox in this historic campaign, but some members of the old Clinton team were on the other side: President Clinton's pit bull, James Carville, and his sidekick, Stan Greenberg, were working for the PRI.

Polls made the race seem closer than it really was, because voters who were backing Fox claimed they were undecided out of fear of retaliation. Fox knew he was ahead, but profited from the ruling party's ignorance of its own dire straits. If these thugs and drug dealers had known their backs were up against the wall, they could have taken even more drastic measures to steal a victory on election day.

The Fox campaign tapped into voters' disgust at the corrupt PRI campaign tactics with an effective TV ad, featuring a poor peasant couple in their humble home. Hearing a knock on the door, the wife asks who is there. On hearing that it's a canvasser for the PRI, she carefully opens the door, slips outside, and shuts it quickly behind her.

"For whom are you voting?" he asks her.

"Oh, for Labastida and the PRI," she assures him. Smiling broadly, he gives her a huge basket of food which she quickly brings inside her home. Once in the house, we see her room is decorated with Fox posters, pictures, and even balloons.

"Why did you say you are voting for Labastida and the PRI?" her husband asks. "We're voting for Fox."

Wolfing down the food, she answers, "For seventy years, they've cheated me. Now I'm cheating them."

And a new day of freedom dawned in Mexico. **NR**

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■ THE MEDIA ■

Biased Gumbel

A breakfast serving of liberalism

JONAH GOLDBERG

IT'S an old tactic used by the KGB, the CIA, and even the Symbionese Liberation Army: the brainwash breakfast. Before that first cup of coffee, a person's psychological screening mechanisms simply don't operate that well. It is a most vulnerable hour, and this might explain why network morning shows are universally the most liberal, biased, and propagandistic news organs in America. The kids are screaming; the garbage needs to be taken out; there's a carpool to orchestrate and Pop-Tart ooze to remove from your last clean shirt—under this kind of stress, there's just no way you'll be able to filter out Charlie Gibson's mellifluous and non-threatening bilge about gun control or Katie Couric's baby-bottom-soft agitprop about girls' soccer. ("When I got this assignment, I thought, 'Whoa, slow news day!' But the importance of the sports bra to American women really cannot be overestimated," Couric exclaimed last year. That's hard enough for a fully alert, rational brain to compute.)

But occasionally this brain-addling system breaks down, and something sufficiently jarring upsets this indoctrination for the SUV-and-bottled-water crowd. A good example was when Bryant Gumbel recently mouthed on national television, "What a f***ing idiot," about a guest with whom he disagreed.

Gumbel, the co-host of CBS's ailing *Early Show*, took exception to Family Research Council spokesman Robert Knight's opposition to gay scoutmasters. The interview itself was fairly hostile, but when it was over, the camera accidentally caught Gumbel offering his editorial judgment as he was getting out of his chair. It's hard to hear the remark, but if you look at the video it's pretty clear that he's saying it.

The same day, Gumbel went on a vacation and has refused to comment or apologize. CBS has taken a more Clintonian tack. "He was making a casual remark of some sort," said CBS's statement. "But it is unclear what the comment was and, in any case, it bears no relevance to the content of *The Early Show*."

Actually, Gumbel's dismissive profanity reveals not only his own attitude toward anybody to the right of, say, Paul Wellstone, it highlights his role as the master chef of *petit déjeuner* liberalism. For 15 years at NBC's *Today Show*, and now on CBS, Gumbel has accomplished something truly remarkable in the history of American media: He has earned the distinction of being the single nastiest and most biased big-time anchor on television. Moreover, he's set the standard for everybody else.

■

Gumbel's dismissive profanity highlights his role as the master chef of *petit déjeuner* liberalism.

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Gumbel is probably most famous in conservative circles for his hatred of Ronald Reagan. His compulsion to assign blame to Reagan borders on obsessive paranoia; his outbursts about Reagan-era "greed" and "excesses of the 1980s" often come way out of left field. For example, five years after Reagan's presidency ended, Gumbel asked a spokesman of the American Medical Association: "In the greedy excesses of the Reagan years, the mean income of the average physician nearly doubled, from $88,000 to $170,000. Was that warranted?"

But Gumbel's true gift to the morning genre is the legitimization of the wildly biased question. Whatever complaints you might have about the Sunday shows or 60 *Minutes*, nothing compares to the glibly biased banter championed by Gumbel. "In light of the new welfare-reform bill," Gumbel asked Marian Wright Edelman, "do you think the children need more prayers than ever before?" In an interview with African-American GOP congressman J. C. Watts, he took a different approach: "You're aligned to a party which owes many of its victories to the so-called Religious Right and other conservative extremists who are historically insensitive to minority concerns. That doesn't bother you?"

Always confident, relaxed, and prepared, Gumbel has earned high marks as a TV talent. "If not the best live interviewer in television, he is surely in an elite group at the top," wrote *New York Times* TV critic Bill Carter. Gumbel was widely given much of the credit for *Today*'s ratings-war victories in the 1980s and again in the 1990s. And, as the most envied morning host in the land during his 15-year run at *Today*, it's not shocking that his tricks of the trade would be picked up by others. On every network (save Fox), morning-show interviews seem to be Gumbel-inspired: "Do you think the American people are not ready for someone who is as accomplished and career-oriented as Hillary Clinton?" asked Katie Couric. "Bush is using this term 'compassionate conservative' as he campaigns, which is an interesting juxtaposition of two seemingly contradictory terms," mused *Good Morning America*'s Charlie Gibson in a conversation with William Safire.

But there's a larger question: How can the news divisions get away with such unfair content? One partial answer is that no one really pays attention to the politics amidst all the prattle about the proper use of sunscreen and fun ways to organize your closet. Another possibility is that the audience contains a disproportionate number of liberal soccer moms who favor such things as gun control. The medium itself might deserve some blame: Live television is a serious high-wire act, and requires a strong ringmaster to manage the situation. If the ringmaster is a typically biased journalist, the morning-show format will give him many opportunities to vent his opinions.

Gumbel is a case in point. He is a thoroughly dogmatic and thin-skinned liberal with a huge chip on his shoulder about race, and also about his own repu-

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tation for arrogance. "This test is not going to tell you whether you're a racist or a liberal," cautioned Gumbel, previewing his special, "The Racial Attitudes and Consciousness Exam (RACE)." This is ironic; he was regularly mocked on the old Fox skit show *In Living Color* as one of the whitest black men in America, but he is actually more like an Al Sharpton in khakis (and minus 100 pounds). Gumbel declined to condemn the Los Angeles rioters, instead blaming their "frustration" on years of Reagan neglect.

In 1995, when Gumbel's golfing buddy O. J. Simpson was acquitted, NBC News president Andrew Lack refused to let Gumbel interview him. Gumbel walked off the show for three days in protest. Upon returning to the show, he said (on air): "Two weeks after his acquittal, we'll see how O. J. Simpson is still being treated as if he were guilty." A year later, he asked O.J. lawyer Johnnie Cochran, "Why do you suppose it is that one year after his acquittal, most white Americans at least, cannot accept the idea that he's out walking around free, refuse to let him live his life?" Three days later, Gumbel had Cochran on again, and asked him: If O.J.'s victims had been his first (black) wife and his (black) friend Al Cowlings, would there be so much media attention? "Absolutely not," Cochran replied, "and I think any person who wants to be honest about it would say the same." Gumbel's follow-up: "Why? Because America doesn't care about black victims?"

Bryant Gumbel by Roman Genn

Gumbel even invokes racial paranoia to dispute his reputation for arrogance. In numerous interviews, he suggests that "arrogant" is a "code word" used by whites who are uncomfortable with successful blacks. "I think nothing in this country happens absent of race," he told *USA Today*. "I do think there are a great number of Americans who are more comfortable with blacks [as] comics, jokesters, always laughing, never taking the world or themselves too seriously." "Do I display any more arrogance than Peter Jennings or Ted Koppel?" he asked in a profile in the *Washington Post*. "If everyone in this business has a big ego, why does the label accrue only to Bryant Gumbel? There are people in this world who are not comfortable with people of color who are self-confident and good at what they do and comfortable with themselves." (One is hard-pressed to find many instances of white anchors like Peter Jennings or Dan Rather being called "humble.")

If Gumbel comes across as arrogant, it is because he's just being himself. And that's the point. When Gumbel, Couric, Lauer, Gibson, and the rest jerk their knees every morning, it's because they're just being themselves. Katie Couric's sober potshots at Republicans come as naturally as her giggly pronouncements about sports bras. There's polish involved, but that just makes their natural liberal personalities shine.

Indeed, Gumbel is widely praised for the extent of his preparation for every interview. He takes copious notes and plans everything out beforehand. He cites, often, his own "professionalism." All of this may be true, but it simply underscores the point that he devises all of his nasty "when did you stop beating your wife?" questions with unprofessional, premeditated malice. The only thing unusual about his "What a f***king idiot" remark was its spontaneity; he was still just being himself. **NR**

■ TELEVISION ■

Reality Bites

A fad fizzles

ROB LONG

FOR my daily dose of heartbreaking social realism, I always turn to the classifieds. Others, I know, prefer to get their news from the larger-type sections of the paper, but I choose to monitor the unhappiness of my fellow citizens by keeping track of their "Divorce! Must Sell!" announcements and their "Need Older Mixed-Breed Dog For Developmentally Disabled Child" queries. It only takes a tiny amount of imagination to embroider rich, operatic tragedies from these quarter-inch slabs of type—kind of a do-it-yourself Dickens—but unlike, say, *Little Dorrit*, you can wrap the whole thing up in the time it takes you to finish a cranberry muffin and a tall cup of coffee.

In my hometown newspaper, the staggeringly unread *Los Angeles Times*, nestled in with the "Relationships" section of the classifieds is something unique to the Media City: a section called "TV Contestants." These are, essentially, want ads for the current glut of reality-television programs. Anyone who has ever seen one of these shows—*The Real World*, *Survivor*, *Big Brother*, *Blind Date*—at some point asks the question, "Where the hell do they find these people?" Well, they find them in the *Los Angeles Times*, somewhere between "Collectibles for Sale/Trade" and "Children's Parties: Entertainment/Parking/Security."

"Couples with Problems!" screams one of the largest display ads. "New TV show! Top therapist helps real people solve real problems in their homes. Fee paid to couples chosen." Or how about: "Moral Court! Win the argument and win big buck$. A new national TV show is looking for interesting and exciting people locked in moral conflict. If you're at odds with someone, take it to the

Mr. Long, a writer for television in Hollywood, is a contributing editor of NATIONAL REVIEW.

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judge!!!" Or, slightly more dignified: "Are you a woman planning a big event? Or a small one? And there's no time and no money? Our team of style experts can help! And put you on TV!"

On the logical assumption that people who read the classifieds are people in some kind of moral/financial/career crisis, or, in my case, people with a lot of free time on their hands, the classified ads efficiently funnel these unhappy and unfulfilled individuals to a sunbaked soundstage somewhere in North Hollywood, to a leatherette couch next to a quack therapist, or, in the case of the big networks, to a fully furnished dream house, where the contestants live with a bunch of strangers, watched by more hidden cameras and recorded by more tiny microphones than were ever planted in the American embassy in Moscow.

These people are classified-ad geeks who will do pretty much anything to be on television. They are couples with problems in moral conflict over an event she's planning that she can't organize or pay for. They are people having trouble with a friend or landlord who are going to solve their many personality deficiencies by allowing a network-television audience to watch them floss.

They are people like Darva Conger, the woman who, mortified by her terrible decision to marry a stranger on television, chose to reclaim her privacy by appearing nude in *Playboy*. They are the current cast of MTV's *The Real World*, a slack-jawed collection of twentysomethings running loose around New Orleans, talking to each other about stuff and, whatever, like, my personal perspective and, like, whatever, you know what I mean? They are the gung-ho teams on *Survivor*, getting into short-tempered squabbles about drinking water and latrine chores when they are not eating rats by torchlight (and camera light).

They are, in other words, ordinary people—as depressing as that may be. Because it is now considered ordinary to want to be on television. And ordinary people now appear regularly in television time slots that were, until very recently, reserved for attractive actors and actresses pretending to be ordinary people, reciting carefully prepared speeches in highly edited, compact bursts. Ordinary has replaced "ordinary." It's a do-it-yourself, Home Depot-style entertainment product. What is *Anna Karenina*, anyway, but a highly polished, stylized, tarted-up version of "Couples with Problems"? And MTV's *The Real World* is really just *Friends*, but real-er, without the attractive people and the snappy comebacks. I keep tuning in to *Survivor* hoping to catch a glimpse of the Professor and Mary Ann, from the classic *Gilligan's Island*, but all I see are glum ordinaries voting each other out of the show. How much fun is that?

Not much fun, apparently. CBS's big summer hope, *Big Brother*, in which a cast of dopey ordinaries live their lives on camera, packed together in a furnished house, is a spectacular fizzle. Following a huge opening night, the show's ratings sank harder and faster with each subsequent airing. It's doubtful that the show will keep running, leading to a strange existential question: If they turn the cameras off, will the cast just stay there, in that house in the San Fernando Valley, forever?

The good news, I guess, is that even if the people who appear on these shows are creepy exhibitionists, at least the people *watching* these shows have some discretion. They'll watch ordinary people answer questions for money, or eat insects by campfire, but they won't watch them just . . . being. Just sort of hanging out.

One of the greatest episodes of one of the greatest television shows, *The Honeymooners*, had the hapless Ralph Kramden (the great Jackie Gleason, playing "ordinary") convinced that a new invention, a kitchen tool dubbed the "Handy Housewife Helper," would make him rich. All he needed to do was advertise, he bellowed pridefully to his companion, Norton. And what better on-camera spokesman than Ralph himself? Of course, the moment the camera light goes on, he freezes and makes a fool of himself. It's funny, naturally, but it also teaches a valuable lesson: Being on television is harder than it looks. (As a wise man once said to me, *everything* is harder than it looks.) Actually *being* natural and free may be a boring and appalling task, but at least it's easy to do. *Appearing* natural and free, on the other hand, is a much trickier challenge. As they used to warn us on adventure-stunt shows: These people are professionals. *Do not try this at home.* **NR**

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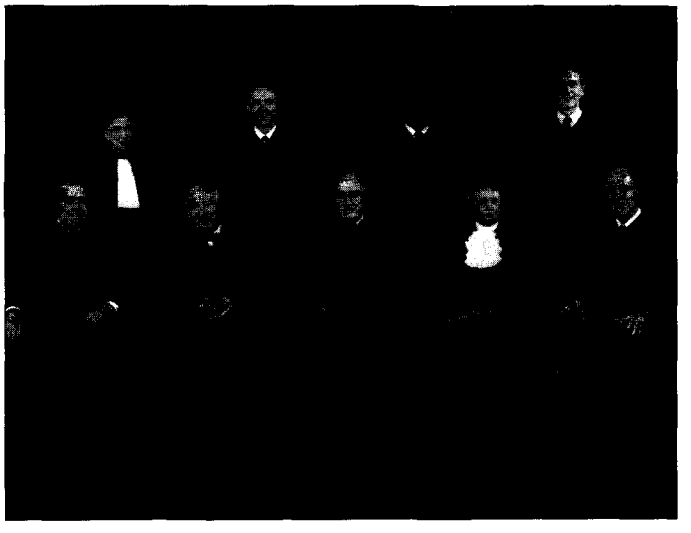
■ COVER STORY ■

Supreme Hubris

How the Court overrules the Constitution

RAMESH PONNURU

WHEN the Supreme Court ended its latest term in June, everyone agreed it had been a momentous one. In its last week alone, the Court had ruled that police must continue to give the *Miranda* warning to suspects; that government may provide certain forms of aid to parochial schools; that states may not establish election rules that keep political parties from choosing their own candidates; that school districts may not let students pick speakers who might deliver invocations (or anything else that resembles a prayer) before football games; that states may single out anti-abortion speech for special restrictions; that states cannot force the Boy Scouts to admit openly homosexual scoutmasters; and—the show-stopper of the term—that states may not prohibit partial-birth abortion.



Once the Court finished speaking, activists and reporters tried to glean the meaning of it all. Conservatives cheered some rulings, liberals others. The stakes in the presidential election were said to have been raised: So many decisions were close that one or two appointments by George W. Bush or Al Gore would make the difference on matters such as federalism, abortion, and racial preferences.

Almost nobody remarked on what was truly remarkable about the Court's term, which was not the pattern of its decisions but the fact that it was weighing in on all these subjects at all. Alexander Hamilton supposed that the judiciary would be the "least dangerous" branch of the federal government, commanding as it did neither sword nor purse. Yet it is now a commonplace of political conversation that what matters most about the presidency is the power to select the people who actually rule the country—federal judges. That is what the Republican and Democratic parties tell their activists. Given the scope of the Court's decisions, it is hard to say that they are wrong.

Also remarkable is the notion that the Constitution—a wondrously brief document—could possibly settle so many policy questions. That the Constitution protects a right to commit partial-birth abortion or requires the *Miranda* warnings is not, to say the least, clear from its text. To deepen the puzzle, the Court does not quite say that these policies are in the Constitution.

The distance from the Constitution to the Court's decisions, then, is vast. It is worth examining in some detail the intellectual and rhetorical moves the justices use to travel it. These moves, I submit, are simply elaborate rationalizations and deceptions. They deceive the public into thinking that the Court is engaged in interpreting the Constitution, even as they rationalize what it is really engaged in: judicial rule. The Court is lying, to us and to itself, and its shaky rationalizations are causing it ever more visible strain.

When contentious moral issues come to the Supreme Court, its first step is to assert jurisdiction by going up, and then down, one level of abstraction. The Bill of Rights bars soldiers from camping out in civilians' homes without their consent and stops the police from conducting "unreasonable searches and seizures." Therefore, the Court reasons, the Constitution protects privacy. The alleged right to abortion can be seen—supposedly—as an aspect of privacy. Thus, the Constitution protects (or at least has something to say about) abortion.

One way of looking at this move is that the Court has treated as authoritative the *questions* the Constitution raises, not the *answers* it gives. Commenting on cases involving school prayer and abortion, Notre Dame law professor Gerard Bradley has explained that "the Supreme Court has treated the Constitution . . . as delineating the boundaries of subject matters (religion, privacy) over which law-making authority has been invested in courts. Actually the plural (subject 'matters') may be gratuitous. There is *one* problem: the individual v. the demands of the organized society. And

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this problem gives rise to an unlimited jurisdiction to make law."

Confronting this problem, the Court then assumes that voters and legislatures are unable to handle it. In Court opinions, these characters are liable to make an appearance in the guise of "intolerant majorities." There are also frequent references to "majority will," always a blind unreasoning force devoid of principle. Again and again the Court says that the "mere fact of majority sentiment," or "opinion," or "feeling," or (notoriously, in a 1996 gay-rights case) "animus" cannot justify a law. But, as Bradley has observed, nobody really believes that the mere fact of an opinion or feeling could provide reasons for action, independent of the reasons one has for holding that opinion or feeling. The point of the Court's rhetoric is slyly to associate the Court itself with reason, and the people and legislators with prejudice and other forms of irrationality, and to frame a problem which only judicial rule can solve.

TESTING, TESTING

And this move is not confined to decisions on moral issues; it is rather *the* typical move of the modern Supreme Court. The Court applies a "rational-basis test" in many cases: If it finds that a legislative classification (treating the sexes differently, for example) has no rational basis, it will strike it down. The test implies a rather harsh, if usually unexamined, implicit criticism of lawmakers—they have enacted laws that are not just wrong, but have no "rational basis."

But the rational-basis test is empty. In *Constitutional Cultures*, Robert Nagel powerfully demonstrates that it doesn't do the analytical work it purports to do. Instead, that work is done by sleight of hand: The Court concludes that some law has no rational basis by ignoring or rejecting some of its purposes, by refusing to recognize that a law can have multiple purposes in tension with each other, or by manipulating the level of abstraction at which a purpose is defined.

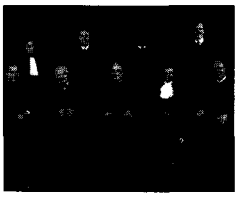
Something akin to the rational-basis test pops up again and again in constitutional law. As Nagel writes,

> Some of the words keep changing, but the tune continues to sound suspiciously familiar. A "time, place, and manner" restriction on speech, for example, must serve a significant governmental interest. The government may restrict commercial speech if its interest is substantial and if its regulation directly advances that interest. . . . To justify discrimination against a "suspect classification," the government must show that its purpose is substantial and that the distinction is necessary for accomplishing that purpose. . . . Whether administrative procedures comply with due process standards depends in part on the weight of the government's interest. State regulations that restrict interstate commerce must serve a legitimate local purpose and there must not be alternate means for promoting that purpose.

Etc. As Nagel dryly observes, "to anyone not inured to the Court's methods, it must be perplexing that constitutional provisions apparently so different substantively should all turn out to have such similar meaning operationally. Indeed, the coincidence is sufficiently striking that the uninitiated might wonder how much the Court's 'interpretations' could possibly have to do with the Constitution itself."

All these tests—and it is significant in itself that the Court is forever conjuring "tests" and "hurdles" and "requirements" that other people "must satisfy" or "must show" they meet—conceal the scandal of wide judicial discretion under layers of verbiage. What purposes are "legitimate"? How "significant" does an interest have to be to count as "significant"? These are legislative judgments pretending to be legal ones.

That was one of Justice Antonin Scalia's complaints about the recent decision on partial-birth abortion. Bans on the practice, Justice John Paul Stevens brusquely declared, are "irrational." The Court found, moreover, that the bans violated a test the Court had established in a previous abortion case: They imposed an "undue burden" on the right to abortion. As Scalia wrote, "what I consider to be an 'undue burden' is different from what the majority considers to be an 'undue burden'—a conclusion that can not be demonstrated true or false by factual inquiry or legal reasoning. It is a value judgment. . . . upon the pure policy question whether this limitation upon abortion is 'undue'—*i.e.*, goes too far." The test is simply a way to settle abortion policy by "a democratic vote of nine lawyers."



The Court increasingly represents the rule of nine people—and, often enough, of one woman.

The mystique of the Supreme Court is rooted in a claim that it ensures the rule of law. But it increasingly represents the rule of nine people—and, often enough, of one woman. Justice Sandra Day O'Connor is the Court's most frequent swing vote; indeed, it may be more appropriate to refer to "the O'Connor Court" than to "the Rehnquist Court." Her vote decides which racial preferences will stand, which fall; it was her vote last year that had school districts across the country scrambling to come up with sexual-harassment policies for the playground. Most of the legal briefs in the recent *Miranda*-rights case were pitched to her. And O'Connor delights in complicated tests. In a case on preferences, she once articulated a standard of "strict scrutiny" that she said would be "strict in theory" but not "fatal in fact." Her decisions often turn on the picayune facts of a case, in the spirit of all those decisions governing how close a crèche can be to city hall.

O'Connor's defenders—such as Cass Sunstein, a law professor at the University of Chicago and author of *One Case at a Time: Judicial Minimalism on the Supreme Court*—praise her holdings for being narrow rather than sweeping, pedestrian rather than grandiose. But the price of this narrowness is a loss of predictability and clarity: Because she announces no clear principles, everyone, lower federal courts included, is left guessing what the outcome of the next case will be. Her decisions invite new cases, in which she can refine her tests further. Her approach, in other words, amounts to the assumption of the power to issue arbitrary vetoes. The late Justice William Brennan once said of Ed Meese's originalism

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that it was "arrogance cloaked as humility." The words are an apt description of Justice O'Connor's jurisprudence.

A JUDICIAL BREZHNEV DOCTRINE

Until recently, it was the journalistic fashion to describe the Court as humble, moderate, even conservative. Never mind that on the most politically charged moral questions before it—gay rights, euthanasia, abortion—it almost always came down on the "progressive" side or implicitly reserved its right to do so in the future. (The Boy Scouts case just handed down is, admittedly, an exception to this pattern.) Moreover, a sort of judicial Brezhnev doctrine seems to be in operation: What encroachments the Court has made on democratic self-government, it will keep. No major decision of the Warren Court has been overruled.

The Court's latest term, however, has had even some nonconservatives complaining about judicial supremacy. In *The New Republic*, Jeffrey Rosen recently wrote that "the defining characteristic of this Court, like [the Warren Court], is hubris. Both combine haughty declarations of judicial supremacy with contempt for the competing views of the political branches." The *Washington Post*'s wrap-up at term's end quoted law professors who contrasted the Court's willingness to overturn congressional acts—24 have been struck down in the last five years—with its unwillingness to admit mistakes on its own part. Stuart Taylor Jr., a highly respected legal journalist of mildly liberal inclination, pointed out that the Court's activism put it to the left of the public.

In each case, the Court more or less gave up the claim that its ruling was firmly grounded in the Constitution.

Leftist legal scholar Mark Tushnet has also been questioning the aggrandizement of the courts, but in a slightly different way. Tushnet, like Sunstein, is enamored of a philosophy of judicial restraint that preserves liberal precedents for all time. What all these second thoughts about the Court reflect, in large part, is unease with the Court's modest revival of federalism and more aggressive restriction of programs that grant preferences based on race (or sex). These decisions, liberals argue, are a form of *conservative* activism that should be resisted.

Conservatives can reasonably object that federalism and color blindness, unlike the liberal innovations of the last half-century, actually have constitutional warrant. My own view is that conservatives are on stronger ground on federalism than on race. Their premise, however, is sound: The notion of judicial activism presupposes a constitutional ideal from which the activists are deviating. Whether the Court is right to strike down a law or program cannot be evaluated, in other words, apart from the constitutionality of that law or program; and what liberals want is not so much liberation from the tutelage of the Court as liberation from the discipline of the Constitution itself.

And yet the liberals still have a point: Conservatives have been too quick to look to the courts for help in reining in the federal government. So far, the Court's federalist decisions have restricted Congress and the executive branch, but not the federal courts. In this context, such cases look less like a revival of federalism than like an assault on the separation of powers. Some conservatives, such as George Will, cheered *Boerne* v. *Flores*, a 1997 decision in which the Court said that Congress could not force states and localities to conform to its view of religious liberty. But the Court's reason for reaching this ostensibly federalist result was that it alone had the power to define the contours of religious liberty; if the Court changed its mind, the states and localities would have to conform to *it*.

Relying on judicial power to promote federalism is likely to prove self-defeating, because that power is itself a threat to federalism. As Amherst political theorist Hadley Arkes has pointed out, Congress is by its very structure more concerned about federalism than the courts are. He uses *Roe* v. *Wade* as an illustration: Congress would never have done what the Court did, sweeping away the laws of all fifty states.

ACHIEVING JUDICIAL RULE

The last week of the term provided two more examples to strengthen Arkes's argument. In *Stenberg* v. *Carhart*, the Court struck down a ban on partial-birth abortion that Nebraska's legislature had passed 99 to 1. (Only one legislator in a hundred met Justice Stevens's standard of rationality.) By implication, the Court nullified similar laws passed by 30 other states. In *Dickerson* v. *United States*, it reaffirmed that police are constitutionally required to inform suspects of their rights. Both decisions were setbacks for federalism.

They were also illustrations of how far the Court has traveled from the Constitution. In each case, the Court more or less gave up the claim that its ruling was firmly grounded in the Constitution. In *Planned Parenthood* v. *Casey*—the 1992 case on which the Court primarily relied in *Stenberg*—the Court had already suggested that *Roe* v. *Wade* was probably wrongly decided, but had chosen to stick with it anyway. In *Dickerson*, the Court declared that it would continue to require the *Miranda* warnings, while refusing to say that the Constitution itself requires them. In both decisions, persistence in error was justified, in part, by social expectations: Women had grown accustomed to the abortion right, and the *Miranda* warnings "have become part of our national culture." (Perhaps the Court is announcing a new *Hill Street Blues* Doctrine: If a decision gets mentioned in enough prime-time television shows, it's here to stay.) The Court is saying that the more consequential and far-reaching its mistakes are, the more stubbornly it will cling to them.

It is an audacious argument, and the Court is having difficulty making it. In *Dickerson*, the Court refers anxiously to *Miranda*'s "constitutional underpinnings," its status as "a constitutional decision" that is "constitutionally based"—but, as Justice Scalia notes, the Court's "carefully couched iterations" never quite say that refusing to issue the *Miranda* warnings would violate the Constitution. The *Casey* Court, unable to appeal to the Constitution, made a plaintive appeal to the people themselves to accept the legitimacy of

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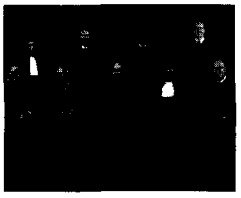
its ruling. If it overruled *Roe*, the Court argued, public respect for the Court would be diminished—and "so would the country be in its very ability to see itself through its constitutional ideals."

To which the only appropriate response is: What the heck is the Court talking about? Professor Bradley offers a translation: "The key variables in the legitimacy equation are now *Court*, *people*, and *constitutional* ideals. The burden of the passage is to justify dispensing with the Constitution by positing some galvanizing, mystical bond among the three." The Court speaks for us; indeed, it is called, it says, "to speak before all others" for our constitutional ideals. As Bradley puts it: "We will be your Court, and you will be our people."

The alternative vaguely sketched by the Court is divisiveness and even violence: That's the rhetorical point of the Court's call in *Casey* for "the contending sides of a national controversy to end their national division." Democracy cannot handle hot-button issues peacefully—the public, remember, emerges through the prism of the Court's opinions as given to irrational spasms of anger and prejudice.



At last, the Supreme Court reaches its destination: arguing, even pleading, for oligarchy.

And so, at last, the Court reaches its destination: arguing, even pleading, for oligarchy. The public must be unified from the bench. Judicial rule does not, of course, mean that the Supreme Court actually decides everything. The justices will not raise taxes (although at least one federal judge has done so in the past). We may safely predict that the justices will not concern themselves with traffic rules, and the Congress will not close up shop. The courts have not ventured into foreign policy, despite occasional temptations and opportunities. What judicial rule means is that the Court may in principle decide anything, and claims the jurisdiction to do so.

It is this extra-constitutional claim that accounts for the evasiveness and bitterness of recent terms: for Chief Justice Rehnquist's embarrassed silence in *Dickerson* about previous, contradictory opinions he had written for the Court, and for Justice Scalia's dissents—the most furious in the Court's history—attempting to demystify what the Court is up to.

Judicial rule is now a background assumption of much legal commentary. In 1997, for example, the distinguished liberal legal philosopher Ronald Dworkin pleaded for the Court to postpone its decision in the assisted-suicide case. Sensing a reluctance on the part of the justices to legalize assisted suicide as they did abortion, Dworkin wrote that "when circumstances make it possible, wide public discussion is a desirable and democratic preliminary to a final Supreme Court adjudication." If this anti-democratic view were itself ever to become the subject of "wide public discussion," it is hard to guess what the consequences would be. One prediction: For all its pretensions to the contrary, the Supreme Court is not going to bring us together. **NR**

Energy Loss

What happened to the nation's secrets

NOTRA TRULOCK

NEW revelations about security lapses at Los Alamos National Laboratory underscore the Clinton administration's continuing failure to safeguard America's nuclear secrets. For more than a year, administration officials have assured the nation that these secrets were secure: Energy secretary Bill Richardson and his political appointees were vigorously implementing new policies and procedures, and the lax security arrangements of the past would no longer be tolerated. The problem is fixed, so let's put this behind us and move on, high-ranking Department of Energy (DOE) officials urged.

But the new security scandals prove that these assertions were—in the succinct phrasing of a recent congressional report on DOE counterintelligence—"nonsense."

Recent reports from inside the DOE indicate that management has interfered in security self-assessments at DOE facilities in New Mexico and, at another DOE lab, permitted sales of computer equipment containing classified nuclear-weapons information to China. Just what is going on inside the DOE complex? Can all of this be explained away as mere incompetence?

In truth, the recent scandals were utterly predictable. While Secretary Richardson probably has good intentions, he has entrusted the implementation of his new policies to many of the same Clinton administration political appointees responsible for much of the mess in the first place. Congress is setting great store in the establishment of a new "semiautonomous" entity inside DOE: the National Nuclear Security Administration, headed by Gen. John Gordon. Gordon has the credentials and experience to do the job, but he will be saddled with many of the same personnel who have resisted all efforts to reform the agency. Officials from within the DOE Office of the Secretary handpicked his staff for him; these officials have repeatedly chosen "science" over security, as if these were somehow incompatible.

How did we get here? My intent is to provide some background and context for understanding the mess within DOE and its national laboratory complex. This is a tale of cover-ups, complacency, bungling, and outright dishonesty. I watched as senior DOE officials repeatedly lied under oath during congressional testimony. Lurking in the background, of course, were the Chinese fundraising allegations and

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investigations of the transfer of missile-guidance technology and supercomputers to China. I never saw any direct evidence of a linkage between fundraising and these scandals. But the facts—that the Chinese were spying, and that other foreign intelligence services were feasting on the DOE labs—are undeniable. The consequences of the loss of nuclear secrets, technological know-how, and classified information during this period could be devastating to our national security.

THE CHINESE SPY THREAT

Our first indications that the Chinese had penetrated our nuclear-weapons labs came in early 1995. We gradually became aware of a broad Chinese intelligence assault on the labs, one that had been underway for at least 15 years. Key officials in the Clinton White House were alerted to our findings in the summer of 1995, but for the next two years their response was, at best, feeble. In May 1999, the Cox Committee report finally told the world about China's success against U.S. nuclear secrets, but, by that point, the damage was done.

The administration's response was to "shoot the messenger." They sought to undermine the credibility of our warnings of Chinese espionage—and in the process, they drowned out our warnings of long-standing security vulnerabilities and counterintelligence shortfalls.

As DOE's director of intelligence, I bore the brunt of many of these attacks; I was demoted in 1998 and forced out of the department in 1999. My successor told me that I had single-handedly "destroyed DOE," and that I was a pariah in the department. I soon read in the *Washington Post* and elsewhere that I was a "dangerous demagogue," a "great imposter," "obsessed," and even that I resembled *Star Trek*'s Captain Kirk. (I never did figure out whether that was a compliment or a criticism.) Reporters, citing "anonymous" sources, accused me of unfairly singling out one man, Wen Ho Lee, as the culprit in the case. Racism and xenophobia were imagined in media accounts to explain the events of the past four years. This was pretty heavy stuff for someone who has spent most of his career trying to stay out of the public eye; but it has become routine treatment for whistleblowers in this administration. I was not alone; other DOE security officials were subjected to equal or worse treatment at the hands of the Clinton political appointees within the department.

I was director of intelligence from 1994 to 1998; in 1995, I also became director of counterintelligence (CI) at the department. I was thus responsible for the management of all intelligence and CI activities within the department and at the DOE laboratories. When I took over, I found the CI program in total disarray. Despite numerous espionage attacks on the labs—dating back to the Manhattan Project in the 1940s—CI was a fairly new program at DOE. The Bush administration, recognizing the threat to the labs, had done a number of important reviews and began to implement a viable CI program. The program faltered, however, because it commanded little respect from lab scientists and DOE managers. The arrival of the Clinton team in 1993 stopped the program in its tracks. FBI agents on loan to DOE were driven out of the department, and security in general received little attention from the new appointees. Funding was reduced, hiring was frozen, and personnel slots were cut.

Meanwhile, the labs were opening up at an alarming rate. Visits from, and exchanges with, foreign visitors—particularly those from such sensitive countries as China and Russia—were encouraged, and areas of the labs were opened up to facilitate the burgeoning presence of these visitors. These trends had started late in the Bush administration, but the new team relaxed even further the security rules governing such visits. The influx of foreign visitors quickly outstripped the ability of the CI team at the labs to keep up with it. Lab managers considered CI mostly a nuisance, in any case, and Washington's new emphasis on "openness" provided the excuse to further reduce CI funding and staff. The Lawrence Livermore lab had (and has) a good CI program, staffed with experienced CI professionals, but lab management was steadily reducing its funding and trimming its staff.

Counterintelligence at Los Alamos was widely considered a joke within both the DOE complex and the CI community. Funding for CI was in a steep decline, and the CI staff there was inexperienced and inept. Later reports documented the bungled management of the Lee case by the Los Alamos CI staff; CI officers were also complicit in the relaxation of safeguards on foreign visitors. Washington had been signaling, through its decisions on budgets and programs, that CI was largely a waste of time and money; this message found a very receptive audience at the labs. It was an ideal climate for espionage—under the guise of scientific exchanges and visits.

China's espionage objectives against the DOE labs were clear: Nuclear deterrence is a cornerstone of Chinese strategic planning. China has opted for a nuclear force that could survive a nuclear attack and retaliate with enough weapons to inflict great damage on the attacker. They have not sought a large missile inventory similar to that of the U.S. or Russia; they have calculated, instead, that a survivable capability would deter the U.S. or Russia from using force to thwart Chinese regional objectives—vis-à-vis Taiwan, for example.

The keys to such a survivable nuclear force were new mobile missiles and the development of smaller, lighter, and more efficient warheads. The current Chinese ICBM force is roughly similar to that fielded by the U.S. in the 1960s—heavy, inaccurate, and with slow reaction times in the event of a crisis. The Cox Committee report documented how the Chinese obtained the crucial technological know-how to meet these objectives *from the United States*—through espionage and misguided technology transfers.

China fixed on the U.S. W-88 nuclear warhead, designed at Los Alamos, as the benchmark to guide its own warhead developments. China's selection of the W-88—hailed as the most modern nuclear warhead in the world—was initially surprising: The technical sophistication of the warhead seemed far beyond China's grasp. But the Chinese succeeded; by stealing a proven road map from the U.S. to guide their efforts, they avoided the expensive and time-consuming scientific blind alleys the U.S. had experienced before perfecting the technology.

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We don't know for sure when the Chinese assault on U.S. nuclear secrets began. The initial exchange of scientists between China and the U.S. began late in the Carter administration. By the early 1980s, our scientists were already expressing concern about the depth of Chinese knowledge about U.S. nuclear-weapons developments and scientific trends. Lab apologists and others have asserted that much of China's knowledge came from the proliferation of nuclear information in the public domain—but in fact, Chinese scientists were asking detailed and well-informed questions about classified U.S. nuclear programs, and their command of detail did not come from reading *Aviation Week & Space Technology*. Surprisingly, however, until the mid 1990s, no one questioned the expanded interactions with the Chinese.

For reasons that remain classified, by 1995 DOE intelligence officers and lab experts were suspecting the possible acquisition of W-88 information by the Chinese. As our deliberations continued, the CIA alerted us to the existence of a Chinese document containing very detailed information about the W-88 warhead. The document, now known as the "walk-in" document, has been the subject of much speculation; DOE officials, among others, have spread disinformation about this document in an attempt to discredit this important clue to Chinese espionage successes. The document did provide key evidence of Chinese acquisitions not just of the W-88, but of nearly all other U.S. missile warheads. There was (and is) considerable additional evidence, still classified, which corroborates our conclusion of Chinese nuclear espionage. The U.S. Intelligence Community Damage Assessment, completed in 1999, largely validated our conclusions.

THE ADMINISTRATION RESPONDS: AN OSTRICH STRATEGY

Many observers have minimized the importance of Chinese espionage, underscoring another conclusion of the damage assessment: "To date, the aggressive Chinese collection effort has not resulted in any apparent modernization of their deployed strategic force or any new nuclear weapons deployment." But no one had ever claimed otherwise; our focus was on the contribution U.S. nuclear secrets would make to *future* Chinese developments. They now have the technology; what they do with it will become clear over the next ten years.

Critics have also contended that even if the Chinese *had* stolen W-88 information, they could not actually manufacture such warheads. Such assertions were heard even from members of the intelligence community, mostly junior intelligence analysts lacking hands-on experience in developing nuclear weapons. Our lab experts, on the other hand, believed that any country with a modern aerospace industry or manufacturing infrastructure capable of producing precision munitions could also assemble such warheads. (CIA intelligence specialists testified before Congress that China would be unable to develop the "exotic materials" necessary for the W-88 warheads. When asked to give some examples of such materials, the specialists had to admit that they were clueless about the actual components of the W-88.)

We repeatedly warned administration officials about China's intelligence objectives and its aggressive attack on the labs. By mid 1997, we were able to forecast Chinese targets and objectives, particularly in the area of nuclear-weapons codes, simulations, and databases. Not once were our warnings heeded; sadly, we subsequently learned that our nuclear secrets had been placed on unclassified computer systems at the labs that were highly vulnerable to outside computer attacks. Such attacks were occurring at an alarming rate. It was not until 1999 that FBI computer forensic experts uncovered the magnitude of the potential loss of our nuclear secrets through computer attacks.

The administration had been very slow in responding to our warnings. The FBI's prosecution of the espionage case, formally underway since mid 1996, had been dilatory at best. Months went by with little or no FBI action; more than a year passed before the FBI even attempted to obtain technical coverage of the key suspect in the case. What the FBI did with the list of eleven other potential suspects provided to them by DOE in 1996 remains a mystery. We have since learned that the FBI missed numerous opportunities for breakthroughs in the case, largely through neglect and ineptitude.

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The recent scandals show that the fault line between science and security within the labs has not been overcome.

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Our first encounters with White House officials came in mid 1995, when DOE informed White House chief of staff Leon Panetta and CIA director John Deutch. DOE also had an obligation to inform Congress's intelligence committees in a timely fashion; by the spring of 1996, however—more than a year after our initial findings—we still had not made the trip to Capitol Hill. Deutch had pledged to handle this matter, but we had good reason to believe that he did not follow through. En route to Capitol Hill, we met with Sandy Berger, the president's deputy national security adviser. This meeting took place in April 1996 on a Saturday morning in the White House situation room. DOE and CIA officials met with Berger and another NSC staff member. Berger was told of our conclusions about the scope and magnitude of Chinese nuclear espionage and the DOE lab vulnerabilities that enhanced the Chinese prospects for success; Berger approved our plans to brief Congress. There was another briefing, that summer, for the NSC's Robert Bell; we also met with Vice President Gore's national security adviser on the same topic. There was little other contact or follow-up with the White House in 1996. That summer, we completed our obligations to notify Congress.

Despite a subsequent 1997 meeting with Berger, who had since been elevated to national security adviser, and a flurry of activity within the administration intended to finally initiate security reforms at DOE, nearly three years passed before we visited Capitol Hill again. Twice in 1998, DOE blocked efforts to transmit information to Congress regarding new developments in Chinese espionage. The only rationale

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offered was that "Congress only wanted to hurt the president on his China policy."

Meanwhile, DOE and the administration studied the issue to death. Most of the changes that DOE and lab officials are boasting about today were first proposed in 1996 and 1997, but fiercely resisted by lab managers and DOE officials. Even a Presidential Decision Directive, issued in 1998, mandating CI and security reforms met stiff resistance. More than a year passed before any concrete measures were taken, and the president's own Foreign Intelligence Advisory Board concluded in 1999 that DOE's response to even this presidential mandate was "grudging and belated."

The recent scandals show that the fault line between science and security within the labs has not been overcome. "Lab culture" is often cited as a serious threat to security, but this is little more than a convenient excuse for DOE incompetence and management complicity. In truth, the "culture" takes its cues from DOE headquarters, and in recent years these cues have emphasized "openness," interaction with nuclear scientists from Russia, China, India, and other sensitive countries, and the presence of such scientists in large numbers at our national labs (even—indeed, especially—those entrusted with the design of our nuclear warheads).

Another threat arises from DOE's permission of unfettered travel by our scientists to sensitive countries. The security incidents associated with such travel are only now becoming known to the public, but the potential for espionage and the compromise of our most crucial secrets is staggering. In their travels, our scientists have had their laptop computers searched, briefcases rifled, and telephone conversations monitored; foreign intelligence services routinely seek to entrap the scientists. DOE officials and the administration have simply looked the other way, and have valued continued access to foreign scientists above security—regardless of the risks.

This, then, has been the atmosphere fostered by DOE within our national labs for much of the 1990s. Arrogance, complacency, disregard for the simplest counterintelligence safeguards, and a stubborn disbelief in the continuing existence of foreign intelligence threats have all combined to make our national labs a ripe target for espionage. Clearly, Secretary Richardson's reforms and efforts of the past year have fallen short of his guarantee that our nuclear secrets are now safe.

The fact is, we have yet to come to grips with espionage at our labs. These labs will continue to maintain and develop knowledge, information, and technology that are highly prized by foreign intelligence services. The attacks will continue, and the cyber capabilities of China, Russia, and others only compound the threat. DOE's response to the peril has, thus far, been pitiful. Moreover, a serious damage assessment has yet to be performed to measure the true extent of potential future threats. Who in this administration has even started to think about the implications of a technologically sophisticated opponent gaining access to hard information on U.S. warhead vulnerabilities? Undoing the damage to our nuclear-weapons policy and management will be one of the many challenges confronting the next administration. **NR**

The New Eugenics

Better than the old

MATT RIDLEY

THE entire human genome has been read. Even ten years ago, that seemed a distant goal; but last month, scientists announced that they have completed reading a "rough draft" of the complete recipe for a human being. It will soon be available on compact disc for anybody to read: a book 800 times longer than the Bible. This breakthrough will open an amazing world of possibilities for medicine—including the prediction, prevention, and treatment of many diseases, from kidney stones to cancer.

But why stop at disease? Instead of merely eliminating the negative, why not accentuate the positive—by tinkering with the text to improve it? After all, in pursuit of the perfect human being, we have willingly tried every weapon that falls into our hands, from prayer to psychoanalysis to breast implants. Will we—and should we—do the same with genes?

It is fashionable to answer that we *should* not, that we probably nonetheless *will*, and that that would be a disaster; I am more sanguine. Genetically modified people will not pose a great threat to society, even if we choose to create them; but we will, on the whole, not choose to create them, so there is little to worry about on this score.

A SAD LEGACY

Discussions of these issues are burdened by a complicated history. A century ago, progressive social reformers were obsessed by the new agenda of "eugenics." There was a sense of urgency in their desire to improve the human race by selective breeding. It had worked well enough in cattle and chickens, but we human beings were not only failing to breed from the best specimens; we were allowing the worst to have the most children.

"Some day," said Theodore Roosevelt in 1910, "we will realize that the prime duty, the inescapable duty, of the good citizen of the right type is to leave his or her blood behind him in the world." In the same year, Winston Churchill lobbied for compulsory sterilization of the mentally handicapped: "I feel that the source from which the stream of madness is fed should be cut off and sealed up before another year has passed."

Britain never did pass such a law, thanks to determined opposition from a libertarian member of parliament named Josiah Wedgwood. In America, however, states began to pass laws allowing mandatory sterilization. In 1927, the Supreme

Mr. Ridley is the author of *Genome: The Autobiography of a Species in 23 Chapters.*

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Court upheld Virginia's eugenic-sterilization law in *Buck* v. *Bell*. Carrie Buck, whom the state wished to sterilize, lived in a colony for "epileptics and the feeble minded" in Lynchburg, with her mother Emma and her daughter Vivian. After a cursory examination, Vivian was declared an imbecile—she was six months old at the time!—and Carrie was ordered sterilized to prevent her from bringing more imbeciles into the world. Supreme Court Justice Oliver Wendell Holmes thundered that "Three generations of imbeciles are enough!" Compulsory-sterilization laws were thenceforth upheld in many states; more than 100,000 Americans were sterilized under them.

The tragedy of that story lies not in the science behind eugenics, but in the politics: It is the *coercion* that was wrong. An individual who volunteers for sterilization is doing no harm, whatever his or her motives; one who orders another to be sterilized against his or her will is doing wrong. It is that simple.

The eugenic movement began with the best of intentions. Many of its most strident advocates were socialists, who saw eugenics as enlightened state planning of reproduction. But what it actually achieved, when translated into policies, was a human-rights catastrophe: the rejection of many immigrants, the sterilization of many people whose only crime was to have below-average intelligence, and eventually, in Germany, the murder of millions of people.

But now, a century later, we are once again practicing a sort of eugenics: We abort fetuses that would be born with Down syndrome or inherited disorders. In New York, Ashkenazi Jews who carry the Tay-Sachs mutation can avoid marrying each other through blood testing organized by the Committee for the Prevention of Jewish Genetic Disease. We also stand on the brink of cosmetic genetic engineering.

Are we simply repeating the mistakes of the past? No. The principal difference is that whereas eugenics, as conceived in the early part of the 20th century, was a public project, modern genetic screening is a private matter. Only China still preaches eugenics for the good of society; everywhere else, modern eugenics is about individuals applying private criteria to improve their own offspring by screening their genes. The benefits are individual, and any drawbacks are social—exactly the opposite of the old eugenics.

Another difference is precision: The selective breeding of the past worked slowly and unpredictably—but today, we can insert a gene into an organism and be all but certain what the effect will be: For example, inserting the genetic phrase "Make insulin!" into a bacterium transforms the life of a diabetic.

Genetic engineering of plants and animals is now routine. Only the genetic engineering of human beings is forbidden.

It would work: Of this, there is no doubt. Take a simple example: the gene on chromosome 4 that is associated with Huntington's disease, a terrible mental affliction of middle age. You could go into the gene in a fertilized egg, find the crucial phrase "CAG"—which, in affected people, is repeated more than 39 times in the middle of the gene—and remove about half of the repeats. It would not be easy, but it could probably be done. The result would be a healthy person with no risk of Huntington's, and no risk of passing it on to her children.

This procedure might become a neater and less intrusive option than the three now available: 1) *screening followed by abortion*—the course of action followed by many couples who find themselves carrying a child with a devastating disease; 2) *pre-implantation genetic diagnosis*, which is in vitro fertilization followed by implantation of a healthy embryo and rejection of one that carries the faulty gene; and 3) *gene therapy*, the immensely difficult and dangerous procedure of trying to infect sufficient cells in your body with a gene-carrying virus to correct the faulty gene.

It is not just medical genetic engineering that is feasible; cosmetic genetic engineering could also begin tomorrow, though it would still be very primitive. There is a gene on chromosome 17 called the ACE gene, which comes in two equally common varieties, long and short. On average, people who inherit two long ACE genes (one from each parent) are better athletes than people who inherit two short versions. For instance, of 123 British-army recruits, the long-gened ones improved their weight-lifting ability much faster during training than the short-gened ones.

It would be comparatively trivial to engineer a human embryo so that it had two long ACE genes. The result would be a child slightly more likely to win long-distance running races. There would be no risk of unpredictable consequences, because about one in four of us have two long ACE genes already; it is not unnatural. It would not be cruel to the child, and it would have no consequences for society. But should it be allowed?

Everybody—from scientists to theologians—seems to agree that human genetic engineering is wrong. Their reasons are a mixture of respect for the sanctity of life and fear of the unpredictable. But if they were ever to relent and allow it, it would be for medical, not cosmetic purposes. To correct a cruel inherited disease—like Huntington's—is one thing. To use the same technology to correct a subjective defect—non-blue eyes or short stature—would be quite another.

NO NIGHTMARE SCENARIOS

Yet even at this "easy" end of the spectrum, there are uncomfortable questions. Cures might seem uncontroversial, but they are not. My colleague, the sociologist Tom Shakespeare, is achondroplasic, but he regards his inherited short stature as a disability only to the extent that society imposes that prejudice on him. With a first-class degree from Cambridge University and a good career, he does not see his genetic disorder as a reason for eliminating future people like him.

He sees genetic engineering as undermining society's respect for people like him, because it sends the message that disability could be—and therefore perhaps *should* be—eliminated. In a genetically engineered society, the parents of a genetically disabled child would feel social opprobrium for not having "done something about it."

I see his point, but I do not fully agree with it, for the following reason: I see nothing in history to suggest that the ability to cure a condition lessens compassion or respect towards its sufferers. Indeed, society's respect for people with "preventable" disabilities has surely never been greater than now: People with Down syndrome, for example, were once

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abandoned or shunned; they are now treated with much more respect.

I suspect it will prove impossible in practice to draw a line between cure and enhancement, between medical and cosmetic genetic engineering. One person's cure is another person's enhancement. Is an inherited weight problem a disease? Would it be a cosmetic enhancement to "cure" dyslexia?

Assume that one day, genetic alleles that predict homosexuality are discovered—a wild assumption, but not inconceivable. To a heterosexual couple, disabling the "gay genes" in their potentially homosexual child might seem like a "cure" that prevents an "abnormal" life. But if so, then for a homosexual couple trying to procreate through a surrogate mother, disabling the "straight genes" in their child might also seem to be a "cure."

James Watson famously remarked a few years ago that if a mother, following a prenatal diagnosis, wanted to avoid having a gay child, that was up to her. After all, more than 95 percent of abortions are carried out for the convenience of the mother and are of "normal" fetuses. It was hard for Watson to see who else should be allowed to make the decision on her behalf: "These things should be kept away from people who think they know best . . . I am trying to see genetic decisions put in the hands of users, which governments aren't." This led to a predictably hysterical headline in a British newspaper: "Abort gay babies, says Nobel prize winner." Note the misleading use of the imperative tense: Watson was arguing against coercion, not for it.

Another objection to genetic engineering is that it would drive out diversity, as people converge on the "ideal." Again, I think this argument is mistaken. Far from threatening diversity, genetic engineering may actually increase it. Supposing cosmetic genetic engineering became accepted, musical people might seek out musical genes for their children; athletes might seek athletic genes; etc. It is very unlikely that everybody would choose the same priority.

If diversity is not threatened by genetic engineering, then another argument—that in a genetically engineered world, there would be an underclass of those who could not afford the procedure—also evaporates. In this scare scenario, the rich might buy themselves an even better start in life with the best genes. But this argument applies only if genetic engineering becomes commonplace, and it is at least partly undermined if everybody is using different criteria of perfection. After all, just by choosing our marriage partners we have been practicing private eugenics ever since we became human: Dark good looks, a slender figure, a winning personality, or a quick mind—in considering these attributes in potential mates, we are, at least partly, selecting genes. Yet diversity is not threatened, because each of us has different criteria.

When artificial insemination was first thought of, in the 1930s, a prominent Nobel-prize-winning American geneticist, H. J. Muller, wrote a book speculating about the uses to which such a technique would be put. "How many women," he wrote, "in an enlightened community devoid of superstitious taboos and of sex slavery, would be eager and proud to bear and rear a child of Lenin or of Darwin! Is it not obvious that restraint, rather than compulsion, would be called for?"

Well, no, it is not obvious. Attempts to make test-tube babies "eugenic" by establishing banks of sperm from clever men, or of eggs from beautiful women, have largely failed. People use in vitro fertilization (IVF) to have their own children, not to have other people's—let alone Lenin's. IVF is actually an instructive precedent for the current debate: When it was invented in the 1970s, society as a whole largely disapproved, finding the procedure unnatural and abhorrent. It gained acceptance because mild disapproval by the many was matched by fierce demand from the few; it took off because infertile individuals demanded it, not because society as a whole decided they could have it. It was an individual decision, not a collective one.

Just as infertile people demanded access to IVF, even before it had been fully tested for safety, it is possible that people who carry fatal genes will demand access to genetic engineering; but this is not very likely. Unlike infertile people, they already have an alternative: pre-implantation genetic diagnosis, which can spot and discard affected embryos in favor of unaffected ones. And if these people, for whom a "bad" gene is the difference between misery and happiness, do not need genetic engineering, why would anybody else need it? It is true that a few people might wish for a blue-eyed boy, but would they really be prepared to abandon the easy business of natural conception for a painful and exhausting test-tube conception instead?

My point is that cosmetic genetic engineering would attract a very small—and probably half-hearted—clientele, even if it were made legal and safe. I simply cannot think of a single feature of my own children that I would have liked to fix in advance. People do not want particular types of children; they just want their own children, and they want them to be a bit like themselves.

When faced with a mediocre hand at poker, you change some cards and start again. But when faced with perhaps 40,000 human genes, any of which you could change for what may or may not be a slightly better version, which would you change? Looks, intelligence, talents, skin color? It doesn't sound so tempting, does it?

The history of eugenics teaches that nobody should be forced to engineer her children's genes—but, by implication, neither should anyone be forced *not* to. To regulate such decisions with heavy-handed state intervention would be to fall into the very trap that caught the do-gooder eugenicists of 1910. I am not against all regulation: At the very least, governments can step in to ensure standards among practitioners (something they are quite good at). But they would be unwise to try to specify in detail what people can and cannot decide to do for themselves. As Thomas Jefferson said: "I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion." **NR**

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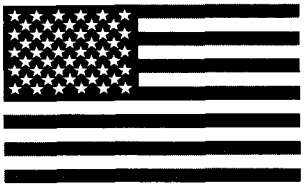
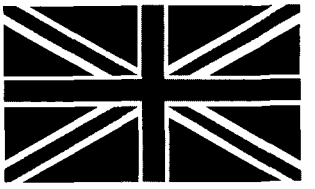


Findings of the British Police Foundation Concerning Reform of Marijuana Laws[1]



"Our conclusion is that the present law on cannabis produces more harm than it prevents. It is very expensive of the time and resources of the criminal justice system and especially of the police. It inevitably bears more heavily on young people in the streets of inner cities, who are also more likely to be from minority ethnic communities, and as such is inimical to police-community relations. It criminalizes large numbers of otherwise law-abiding, mainly young, people to the detriment of their futures. It has become a proxy for the control of public order; and it inhibits accurate education about the relative risks of different drugs including the risks of cannabis itself. Weighing these costs against the harms of cannabis, we are convinced that a better balance is needed and would be achieved if our recommendations were implemented.

Under our proposals, the normal sanctions for offenses of cannabis possession and cultivation for personal use would be out-of-court disposals, including informal warnings, statutory cautions or a fixed fine on the model of the Scottish fiscal fine. Prosecution would be the exception, and only then would a conviction result in a criminal record. We understand that if the sanctions for cannabis possession and cultivation, both in the law and its enforcement, were to be substantially reduced there would be a risk that more people would use it. But the international evidence does not suggest that this is inevitable or even likely. Given the current widespread availability and use of cannabis, we judge that more would be gained in terms of credibility, respect for the law and the police, and accurate education messages than would be lost in potential damage to public and individual health by the control regime which we recommend. We also believe that our proposed regime would promote the targeting of enforcement resources on those drugs and activities which cause the greatest harm in line with the objectives of the national strategy. It would also accord with public perceptions of where policing priorities should lie."

Can We Learn From Others?

For more information visit: www.csdp.org.

Common Sense for Drug Policy Kevin B. Zeese President
703-354-9050, 703-354-5695 (fax), info@csdp.org

[1]"Drugs and the Law: Report of the Independent Inquiry into the Misuse of Drugs Act of 1971." The Police Foundation, Chairman: Viscountess Runciman DBE, April 4, 2000. The Police Foundation, based in London England, is a non-profit organization that promotes research, debate and publication to improve the efficiency and effectiveness of policing in the UK.

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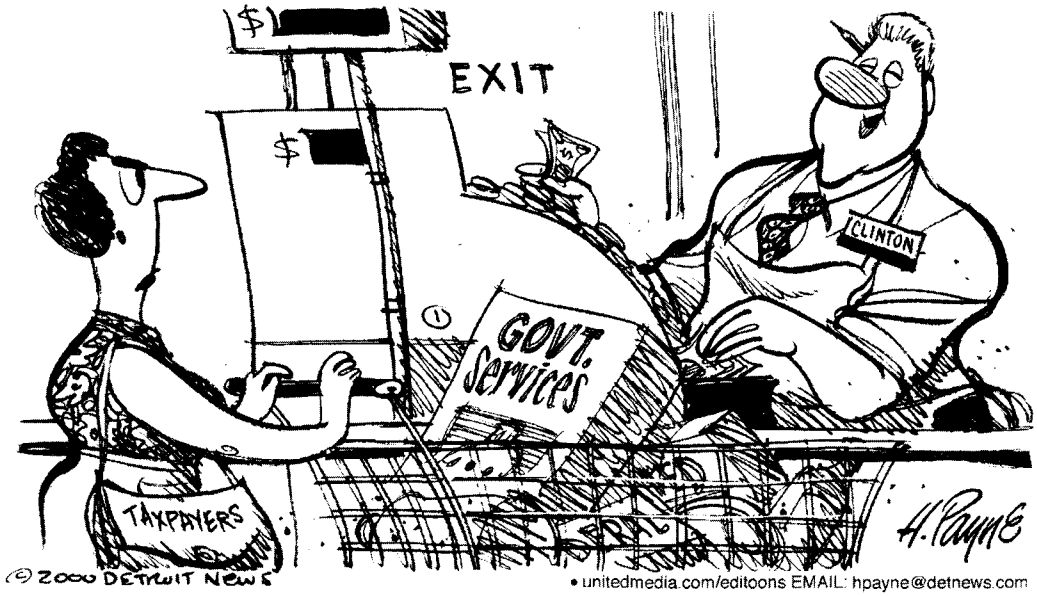

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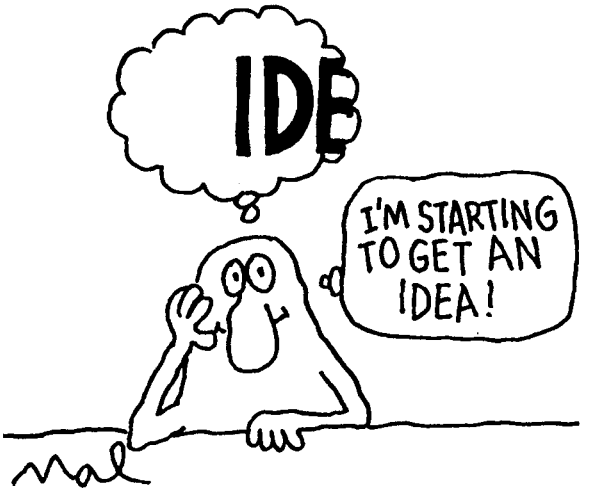
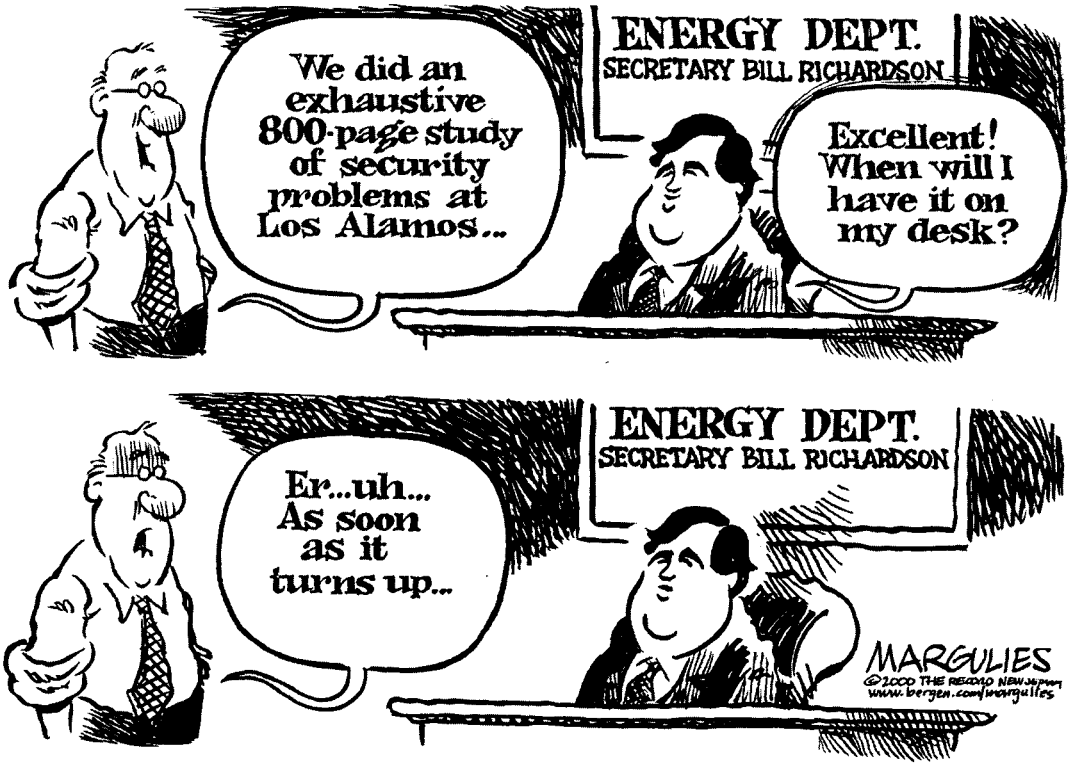


Gore Tries Again

Like stately water birds whose girth
Gives rise to merriment and mirth
Among spectator sparrows when
They take off—then flop back again;
Al Gore, with Daley calling shots,
Honks fearfully from wetland lots
As feet churn gamely from below,
But like the Spruce Goose, *it's no-go.*

—W. H. von Dreele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THE VICE PRESIDENT
WASHINGTON, D.C.

July 13, 2000

Dear Rusty:

It's been a long time since I wrote to you, and let me tell you, I sure am sorry. You've been such a good pal to me these past seven years—you've let me vent a little, think some thoughts out loud, and you've kind of been my alter ego, as it were. I've enjoyed thinking about you, these past seven years, when times were stressful—imagining you down there along the banks of the Orinoco, fighting off the mud flies and the fire ants that crawl up the needle grass, doing important research in the rain forest, working hard to save the earth.

Heck, there were times that my imagination was so clear, I thought that I was down there with you. And times that I thought I was you. That you and I occupied the same brain inside old Al Gore's head. That he was some kind of middle-of-the-road sell-out politician and that you (actually, me) were living inside his head waiting to come out roaring. And that inside his head were a lot of other Al and Albert types, and we were just fighting like wildcats in there for airtime.

See, there's a lot of stuff going on inside my head. I've been on the Internet, and I've run a bunch of Yahoo searches on "Psychology > Personality Disorders > Multiple Personalities" because I've (me, Al Gore) been a little concerned lately that sometimes I (me, Al Gore) become other people, different Als. Sure, we all live here inside my (me, Al Gore's) brain, but we're kind of all struggling for face time.

Some people say that an extremely placid exterior and a monotonous delivery are signs of some kind of deeply buried psychological turmoil. That a slow and deliberate demeanor is the "cover" for a raging multiple-personality disorder. Like if you put enough rats into a coffee can, their fighting and squirming will, ironically, keep the can upright and stable. I'm not sure we all agree with that assessment in here, Rusty. That seems to imply that all of us in here are the crazy ones. And all of us—Al Gore, Al Jr., Little Al, Albert, Albert Jr., and you, Rusty Al—are pretty insulted by that.

People with raging personality disorders often end up exploding in violent outbursts. But of course, that's nonsense, Rusty—I mean, Al—I mean, me. I wouldn't hurt a fly. Not even a little fly. I'll be writing to you a lot more in the coming months, Rusty. All of us in here will.

Courage!

Your friends,

Al

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National Review 2000

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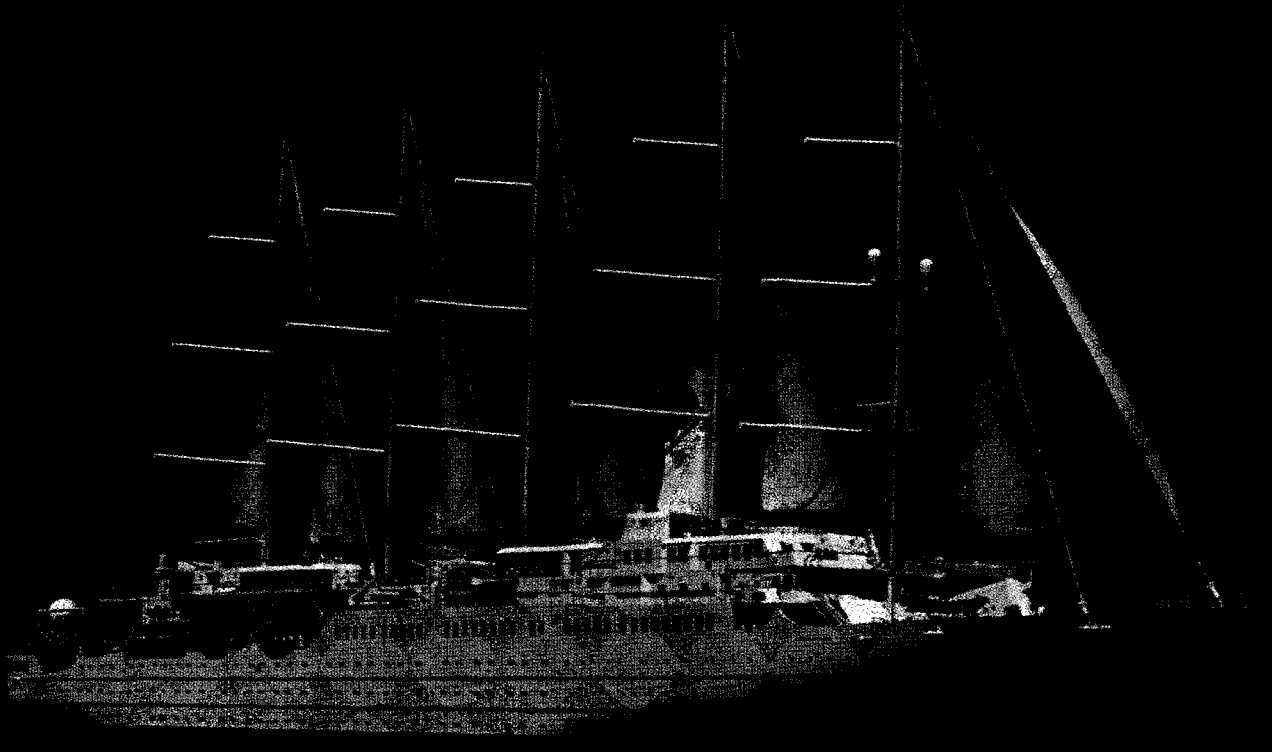

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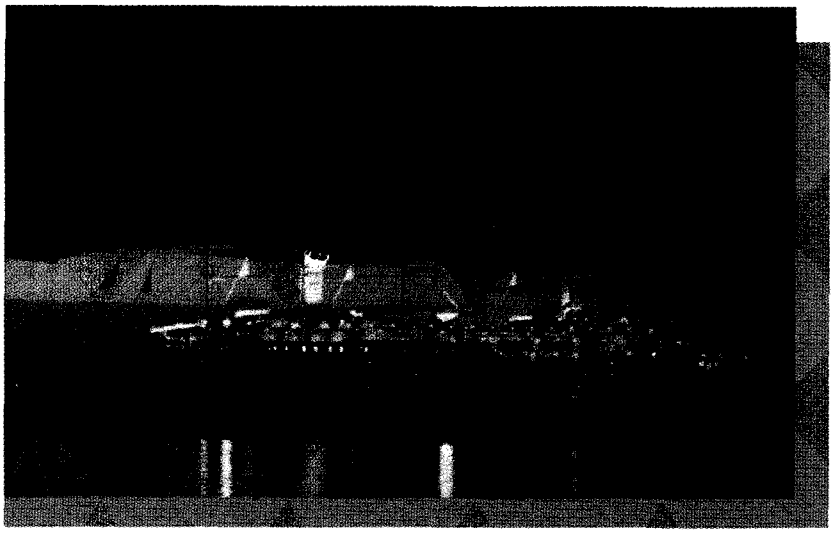

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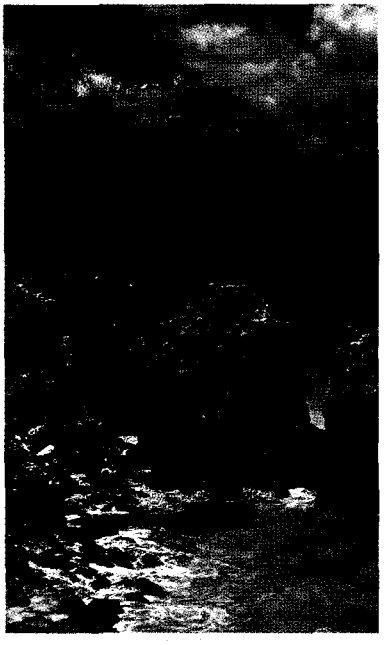

ST BARTHELEMY, LEEWARD ISLANDS. Tiny "St Barts" has long been the haunt of the very rich who come for privacy, gorgeous beaches, and exquisite French cuisine. Travel down hilly narrow roads in open-air Jeeps or "mini-mokes." In Gustavia, quaint streets lead past small markets and bakeries—and dozens of small shops selling French perfumes, sportswear, watches, and crystal.

BRIDGETOWN, BARBADOS. This infectiously happy island, with beautiful beaches and balmy weather, has a delightful British flair. As a result of its successful sugar economy in the 17th and 19th centuries, you'll find large manor estates full of fine Barbados mahogany and antiques, along with gaily painted wooden-frame houses—the essence of the festive Caribbean. Rum rules in Barbados, and, over the centuries, cane plantations have divided the landscape into a pretty patchwork of fields, coconut and royal palms, breadfruit, oleander, and citrus trees.

ILES DES SAINTES, LESSER ANTILLES. Pastoral and far off the beaten track, the Saintes are a cluster of eight islands off the southern coast of Guadeloupe. In Bourg, the charming hamlet on Terre-de-Haut, the largest island, you can wander peaceful streets past small houses, then follow the narrow road out of town through fields and hills to a sweeping strand of secluded beaches.

NEVIS, LEEWARD ISLANDS. Nevis is an almost-perfect volcanic cone rising up from the sea and covered with bougainvillea, hibiscus, and many other lush tropical plants. For a time we'll be anchoring outside of Charlestown, the island's capital, for those who wish to go ashore on tours or on their own, then repositioning to a nearby idyllic beach for an afternoon of watersports, sunning, and a festive beach barbecue.

PIGEON ISLAND, ST. LUCIA, WINDWARD ISLANDS. The Pitons, two volcanic peaks rising to more than 2,400 feet, mark St. Lucia, an island of lush green valleys, banana plantations, and bubbling sulfur springs. Some 24 miles of vibrant reef make it a haven for divers and snorkelers. Pigeon Island National Park, connected to the mainland by a causeway, was once a pirates' hideaway. Today, impressive ruins of old English forts, archaeological relics of Arawak Indians, and splendid beaches make this a fascinating place to explore.

ST MARTIN, DUTCH ANTILLES. St Martin, the "French" side of this beautiful island (the "Sint Maarten" half is Dutch) of white-sand beaches (there are over 10 miles of them!), features the *chic* capital city, Marigot, of shops, bistros, and *ooo-la-la* charming cafés. Cross the Dutch border and head for lively Philipsburg, where you will find gingerbread West Indian buildings that house excellent duty-free shops.

Exciting, Exclusive Itinerary

DATE	PORT/TIMES	EXCLUSIVE *NR* EVENTS
Dec. 10 (Sun.)	Bridgetown, Barbados	Midnight departure
Dec. 11 (Mon.)	At Sea	Morning & Afternoon Seminars, Cocktail Reception (pre-dinner)
Dec. 12 (Tue.)	Nevis, 8AM–5PM	Late-night smoker (post-dinner)
Dec. 13 (Wed.)	St Martin, 8AM–1AM	Morning Seminar
Dec. 14 (Thur.)	St Barthélemy, 8AM–5PM	Morning Seminar
Dec. 15 (Fri.)	Iles des Saintes, 8AM–5PM	Afternoon Seminar, Late-night smoker (post-dinner)
Dec. 16 (Sat.)	Pigeon Island, 7AM–4PM	Afternoon Seminar, Cocktail Reception (pre-dinner)
Dec. 17 (Sun.)	Bridgetown, 6AM arrival	

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After September 11, 2000	100% of cruise

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NR36

AIR TRAVEL TO BARBADOS: Due to the nature of the cruise, Windstar Cruises is unable to offer extensive airfare options. Please consider one of the following options for making air transportation to Barbados for the cruise. Please know that you **must** arrive in Bridgetown, Barbados, *no later than 10:00PM on Sunday, December 10, 2000*, in order to make the ship in time for sailing. Do **not** schedule a return flight before 9:00AM on Sunday, December 17, 2000 (this will allow you ample time to disembark the *WindSurf*, transfer, and go through customs). Complimentary roundtrip transfers to/from the airport will be provided, but you must forward your air schedule to The Cruise Authority no later than November 24, 2000. **OPTION 1**: Book your own air schedule, making certain to adhere to the times discussed above. This option gives you the greatest flexibility and control over your air schedule. **OPTION 2**: You may contact American Airlines and access a discount group fare which has been set up specifically for the *National Review* group. Call toll-free, 1-800-433-1790, and refer to **Star File #69DOUA**. Make your booking and pay for it as you normally would with any airline. **OPTION 3**: Book your air via Windstar Cruises from the "gateways" listed below. A forced overnight may be required either pre- or post-cruise, at your expense, and we have no control over when or if it will be required. Prices are per person, round trip, coach. Gateways with asterisk marks (**) traditionally require a forced overnight in Miami ($132) or Barbados ($195):

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Baltimore	$850	Houston	$910	Orlando	$760	Seattle**	$1,060
Boston	$740	Kansas City	$930	Philadelphia	$750	St. Louis	$1,060
Chicago	$860	Los Angeles	$930	Phoenix**	$1,070	Tampa	$760
Cincinnati	$990	Miami	$660	Pittsburgh	$900	Tucson	$1,060
Cleveland	$920	Minneapolis	$1,070	Portland**	$1,070	Washington, DC	
Dallas	$900	New Orleans	$800	Salt Lake City**	$1,050	(DCA or IAD)	$780
Denver	$980	New York	$830	San Diego**	$1,040		

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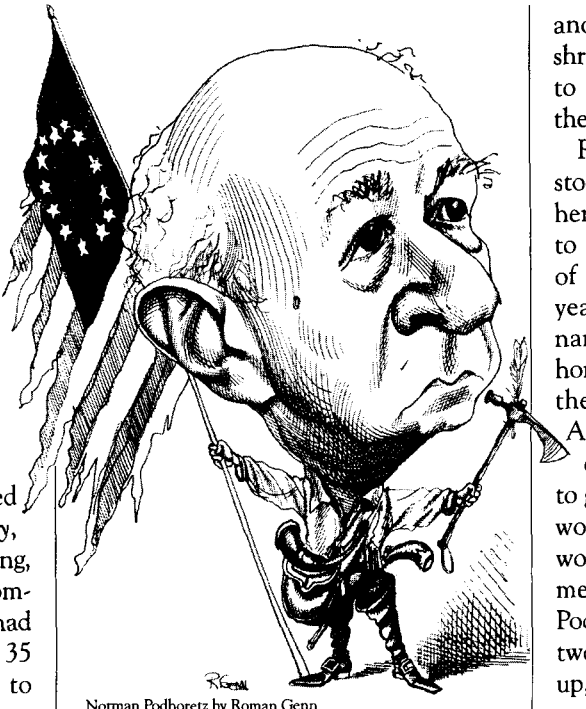
BOOKS, ARTS & MANNERS

The Patriot

SETH LIPSKY

My Love Affair with America: The Cautionary Tale of a Cheerful Conservative, by Norman Podhoretz (Free Press, 248 pp., $25)


Norman Podhoretz by Roman Genn

WHEN Norman Podhoretz stepped down as editor of *Commentary*, the *Forward*, which I was then editing, published a Podhoretz Sampler. To compile it we read all of the pieces he had written for the magazine he edited for 35 years. It would have been possible to garner a memorable paragraph from nearly every one of them, though limitations on space permitted us to quote only two dozen. We wrote a brief italic introduction that described the sampler as a "salute to a giant of Jewish journalism." This point stopped a few of the editors momentarily, and we worked the phrasing around a bit. Maybe, we thought, we should call him a giant of *American* journalism. Out of deference to the *Forward*'s beat, we stuck with Jewish, though Podhoretz is, of course, a giant of both.

This fact is underscored by his slim memoir, *My Love Affair with America: The Cautionary Tale of a Cheerful Conservative*. He opens with a little disquisition on patriotism, quoting Bertrand Russell as saying, "Love of England is very nearly the strongest emotion I possess," and explaining that he, Podhoretz, feels much the same way about America. He says he only plumbed the depths of that feeling in the course of being driven, almost against his will, to defend the country against its ideological enemies on the Left. He then sketches the arc of his ardor, starting in elementary school in Brooklyn, on through his years at Cambridge and his service in the army, and then the editorship of *Commentary*. This encompassed ten years during which he fell in with the very left-wing critics against whom he would appear in intellectual arms during the climactic years of the struggle against Soviet Communism.

Many have followed the trajectory Podhoretz took from Left to Right. Millions of Jews, immigrants themselves or, like Podhoretz, the children of immigrants, have found that America—its freedom and opportunities and decency—awakened in them an affection that is almost religious in its fervor. I have been struck by the number of Jewish intellectuals who are infatuated, even obsessed, with the American Founders and their written campaign on behalf of American constitutionalism: Podhoretz, one can see here, is among them. What is different about him is the fidelity with which he has maintained a focus of Jewish particularity throughout his career, a record that has inspired a lot of us who have followed, to one degree or another, in his wake: this, and the shrewdness with which he has been able to discern the Jewish interest through the fog of the wars of ideas.

Podhoretz obviously came from great stock. Among the many diverting asides here is one about his mother's reaction to the discovery that the other winner of Columbia's Kellett scholarship the year Podhoretz gained it was a lad named Emmanuel Chill. Mrs. Podhoretz correctly deduced that it must be the son of Ida Chiel, who came to America with Mrs. Podhoretz and, during the crossing, taught her how to greet in English her father whom she would meet when they landed. The women had drifted apart and lived as members of the working class. "Yet," Podhoretz marvels, "America had found two of their sons there, plucked them up, and deposited them into a great university in which Jews were still only grudgingly welcomed."

Podhoretz's early travels abroad quickened his feelings for America. A visit to Israel sealed the deal. "Six weeks there finished what a year in England had inaugurated," Podhoretz writes. "No doubt the Jewish people had been in exile, but not *this* Jew, not me. My true homeland was America, and the Jewish homeland was, so far as I was concerned, a foreign country." While he was happy that Israel had been established as a sovereign state to which persecuted Jews could flee, he could not imagine such a thing happening to him or the Jews of America. But "if, God forbid, it ever did and I was forced to settle in Israel, I would almost certainly feel that I was *now* in exile." These sentiments shocked and offended his Israeli friends, none of whom, he observes, could have imagined "in their worst nightmares" that their "post-Zionist" children and grandchildren would one day question "the very legitimacy of Israel as a Jewish state."

Mr. Lipsky, formerly editor of the *Forward*, is a contributing editor of *The Wall Street Journal*.

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The issue of carrying criticism of one's country too far is where Podhoretz parted company with the Left in what, for me, has always been the most mystifying chapter of his life: Vietnam. Podhoretz was one of the earliest opponents of American intervention, on the ground that it was, in Gen. Maxwell Taylor's phrase, "the wrong war in the wrong place at the wrong time." This view was sharply different from that of more radical opponents of the war. "In that alternative view," Podhoretz writes, "the American intervention in Vietnam was not a mistaken extension to Asia of the strategy of containment that had worked so well in holding the Soviet Union back in Europe; it was a criminal act of imperialism aimed at suppressing the legitimate national aspirations of a downtrodden dark-skinned people."

I have come to view America's expedition in Vietnam as having been directed precisely to the right place (where the Communists attacked) and at the right time (when they were attacking). Nonetheless, I found Podhoretz's reprise of this passage in his career not only illuminating but satisfying. His patriotism was sorely tested. But his love of America remained "strong enough to withstand more than a dozen years of deep disapproval over its ever-escalating involvement in a war that I thought it should never have entered." It also survived a close association with people who did not hesitate to compare America to Nazi Germany. The first time Podhoretz heard such a comparison, over dinner with a good friend, he stormed out of the restaurant, shouting that if he himself felt that way, he'd consider emigration the only honorable course. His friend "responded with a smirk and cut himself another slice of steak."

The tendency to liken America to the Nazis has shown itself not only on the Left, but occasionally also on the Right, and Podhoretz is vigilant there as well. Hence the "cautionary" aspect of his title. He recounts one notorious such incident, when pro-life advocates, furious over judicial imperialism, asked in the conservative magazine *First Things* whether revolution was "morally justified" by these abuses. Podhoretz responded by lighting out after a number of his friends on the Right—demonstrating why so many of us have come to rely on his judgment, his shrewdly drawn distinctions, and his patriotism. He gives voice to this sentiment in a moving closing he calls an "American-style *dayyenu*" —inspired by the Hebrew hymn, recited at Passover, of thanks for God's blessings. Here Podhoretz lists the many blessings America gave him, any one of which would have been enough. **NR**

Master of the Game

ANTHONY LEJEUNE

Spytime: The Undoing of James Jesus Angleton, by William F. Buckley Jr. (Harcourt, 305 pp., $25)

BILL BUCKLEY'S latest novel, *Spytime*, is a highly original work; indeed, one might describe it as a new kind of novel if Buckley had not already done something vaguely similar in *The Redhunter*, which was about Sen. Joe McCarthy. There is, of course, nothing new about historical fiction centered on real characters: What's unusual in these books is that Buckley writes not only about very recent events but about famous characters whom he knew personally, not so much *romans à clef* as *romans en clair*. When television and film sally into this, or at least into a neighboring field, the results tend to be labeled "faction" and frowned upon; but Buckley offers a significantly different, generally more authentic, and altogether superior product.

His protagonist, this time, is James Jesus Angleton. All that most of us may remember about Angleton is that he was, throughout much of the Cold War, head of counterintelligence in the CIA, a brilliant player in the global spy game, and that in 1974 he was abruptly dismissed. Why? The received explanation was that he had become dangerously paranoid, seeing spies, particularly in high places, where they did not exist. Other explanations were whispered—that he was the victim of political conspiracy, of anti-anti-Communism, of a Soviet plot, or even that he had been a Soviet spy himself. Buckley approaches this unresolved puzzle by following Angleton's career from youthful recruitment by Allen Dulles to the bitter day of his expulsion from the agency.

However, to call *Spytime* a fictionalized biography would be slightly misleading. Much of the second half is more like a conventional spy story, describing the adventures (if "adventures" is not too upbeat a word) of Angleton's young American protégé Tony Crespi, on his first assignment as a deep-cover agent in Beirut, where he has been told to keep an eye on Kim Philby. Philby was once a colleague whom Angleton trusted, but now he is known, or suspected, to have been the most important in a whole bunch of traitors at the heart of Britain's Secret Intelligence Service.

The narrative technique consists of short datelined chapters lacing together Angleton's personal story with all the intelligence-related dramas of the period; these begin with Mussolini's capture by Communist partisans in 1945, at which Angleton was allegedly present, and range through Khrushchev's revelatory speech about Stalin, the building of the Berlin Wall, the Bay of Pigs disaster, the Cuban missile crisis, and the Vietnam War, accompanied by the recurring enigma of doubtful defectors and double agents. Most of this background information has gradually emerged into the public domain, but Buckley supplements it with material from his own rich experience and wide acquaintance.

Angleton saw conspiracies everywhere because in his world there *were* conspiracies everywhere.

Therein lies the major difficulty of this peculiar genre. The reader is never quite sure of the line dividing ascertained fact from informed imagination: He cannot know which details have been unearthed from contemporary memoirs

Mr. Lejeune is an NR contributing editor.

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and which have been added for verisimilitude by the novelist. One is inevitably alert for implausibilities. One wonders: Did Jack and Bobby Kennedy really talk to each other in quite this style? Is there any foundation for the brief sexual episode involving Angleton? Can the directors of the CIA actually have discussed his removal in such a curt, cold-blooded way?

On the other hand, plausibility is not the same thing as truth; the truth must sometimes be toned down to render it plausible; a well-constructed falsehood is, almost by definition, easier to swallow. Who would readily have believed that the head of the Soviet section in the British intelligence service was himself as Soviet spy, a man so well regarded by British and allied colleagues that he might (stretching credulity still further) quite possibly have gone on to become head of the whole service? And yet it was so. Conversely, there are still people who believe that a man, now dead, who did become head of the service was indeed a spy; which is probably not so. Others within the intelligence community believed that Britain's prime minister, Harold Wilson, was himself at least a Soviet agent of influence. This is almost certainly not true, although some of his friends and associates may well have been, and he himself constantly feared that he was being plotted against by secret forces. Angleton saw no reason to believe that American politics and the CIA were immune from such sinister penetration. The British spy ring—Philby, Burgess, Maclean, Anthony Blunt—had proved real. There was rumored to be a Fifth Man. The Fifth Man could be American.

If working for half a lifetime in what has justly been called a wilderness of mirrors, mapping it, using it, being deceived by it, finally pushed Angleton over the edge of rationality, who should be surprised? He saw conspiracies everywhere because in his world there *were* conspiracies everywhere. But perhaps not *absolutely* everywhere. Then again, who knows? This ultimate kernel of doubt Buckley leaves unsettled, as in a book where the characters are real and the narrative is not wholly fictitious, he was bound to do.

Taken just as a thriller, *Spytime* works well and moves fast: But there is always another dimension. Only the most imperceptive reader will not feel that Buckley is leading him down these mirrored paths of recent history for a purpose, to make him think about the nature of loyalty, about the subtleties of deception, about the extent of the Cold War, about who was right and who was wrong and how hard it can be to tell the difference. **NR**

Twilight of the Dons

VICTORINO MATUS

Omerta, by Mario Puzo (Random House, 316 pp., $25.95)

If there was a driving force behind Mario Puzo's career as a novelist and screenwriter, it was money. When he owed the IRS $150,000, he agreed to write the screenplays for *Superman I* and *II*. When he wrote *The Cotton Club*, he received $1 million despite not a single word of his actually making it onto film. And it was back in 1966, when Puzo was a struggling writer at the age of 45, owing $20,000 to "relatives, financial companies, banks, and assorted bookmakers and shylocks," that he decided to "sell out" and write the all-time best-selling novel in publishing history, *The Godfather*.

Had he not been in debt, Puzo would be known today only as a critic of the Italian-American immigrant scene in New York, as in *The Fortunate Pilgrim* (1964)—his own favorite work—or for mediocre political novels like *The Fourth K* (1992). But he didn't want to become a *chooch* (Sicilian for a deadbeat who couldn't provide for his wife and children), and wrote what he thought would earn him some serious cash. That this novel would have a lasting impact on American society—and around the world for years to come—was beyond his expectations.

In no time, he was approached by Paramount Pictures to write the screenplay for *The Godfather* and its sequel. And though Puzo squabbled with both the studio and Francis Ford Coppola—he thought the director had softened up his characters too much, and ultimately quit the film—he did win an Academy Award for best screenplay. Puzo went on to write other bestsellers—including *Fools Die* (1978) and *The Sicilian* (1984)—and the screenplays for *Earthquake* (1974) and *Christopher Columbus: The Discovery* (1992). But he would inevitably return to the Mafia, writing the screenplay for *The Godfather Part III* (1990), and another best-selling novel, *The Last Don* (1996), which became the highest-rated television miniseries of 1997.

By then, at age 75, Mario Puzo had already begun what he knew would be his last novel, *Omerta*, the completion of his Mafia trilogy. The title refers to a Sicilian code of honor, explained on the very first page, "which forbids informing about crimes thought to be the affairs of the persons involved." To violate the code of *omerta*, in other words, is to be a rat. Puzo recognized that breaking this code is perhaps the greatest threat the Mafia faces today. (When Sammy "the Bull" Gravano became a federal witness, he managed to have his boss, John Gotti, sent away for life, practically destroying the Gambino crime family.) Indeed, his novel opens with the Mafia all but vanquished by the FBI, thanks to an elderly don turned informant.

Puzo once said that *Omerta* would be 'a life-ending book, for me and the Mafia.'

The novel's focus, however, is on the murder of another retiring don, Raymonde Aprile. This don had raised three children of his own, but only his orphaned nephew Astorre was involved in the family business. The others were mostly unaware of their father's dealings, only hearing rumors reported in the tabloids. One son is a colonel teaching at West Point, another is a powerful television executive, and the daughter is a defense attorney strongly opposed to the death penalty. But this is what

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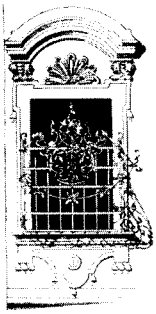
Raymonde Aprile wanted: "He would send his children away to be educated in the ways of a lawful society, so they would not grow up in his world so full of hate and danger."

Like Michael Corleone in *The Godfather III*, Raymonde wanted to retire from the life, keeping only his banking operations—an income that would generate billions of dollars. According to his will, these banks will be left to his children, with his nephew responsible for running them. But when a shadowy group of international bankers, aging dons, and drug dealers puts pressure on the children to sell, Astorre becomes convinced that some or all of these men were responsible for Don Aprile's demise. Meanwhile, the FBI is working with an informer who can aid in the sale of the banks, hoping to trap the conspirators in their massive money-laundering operation. Special agent Kurt Cilke leads this crusade and will cross any ethical boundary to bring them all down. Astorre must confront all the players, travel to Chicago and London and Sicily to form his alliances, and figure out how to exact his revenge. In his actions and his moral outlook, he is clearly a stand-in for the author.

At times, *Omerta* seems more of a murder mystery than an epic, and that may leave Puzo's fans hungry for more. Nowhere will readers be shocked by the discovery of a horse's head, as in *The Godfather*, or by finding out just why Don Corleone feared Luca Brasi. And nowhere will they find such sheer brutality as in the Santadio wars of *The Last Don*. Indeed, in many respects *Omerta* is not your classic Puzo novel. For starters, it runs a mere 316 pages, while *The Godfather* runs 443 and *The Last Don* numbers close to 500. You can't help but think that had Puzo lived longer, *Omerta* would have been another grand-opera performance with all of his traditional strengths.

One of Puzo's messages is that the Mafia is not all that different from other organizations.

One of the missing elements is the centrality of religious events. *The Godfather* opens with a wedding and ends with a baptism. *The Godfather Part II* features the First Communion of Anthony Corleone. In *The Last Don*, it's the baptisms of Cross De Lena and Dante Santadio-Clericuzio. In *Omerta*, the confirmation of Don Aprile's grandson at St. Patrick's Cathedral is an event one expects to find described in rich detail. But it isn't.



"Making your bones"—a milestone in a gangster's life marking the first time he commits murder—is another frequent occurrence in Puzo's works. Who can forget Michael Corleone's first hit against Captain McCluskey and Virgil Sollozzo at the Luna Azure restaurant? Page upon page is devoted to the preparations necessary for one act of murder, and when the moment arrives the author always describes in vivid detail that last look in the victim's eyes. This too is passed over swiftly in *Omerta*, when Astorre becomes a Qualified Man.

Still, the novel is far from a failure, and Puzo's fans will devour it. And despite its brevity, Puzo does manage to convey certain messages. One is that the Mafia is not all that different from other organizations: The FBI is portrayed, at best, as morally ambiguous, especially in its tactics, and we are supposed to conclude that the two are not all that dissimilar. Another familiar theme is that of crime families going legitimate. The Corleones had no desire to give up their power, and Michael Corleone intended his son to succeed him one day. But even when Michael decides to break free from organized crime in *The Godfather Part III*, he cannot. In *The Last Don*, the Clericuzios manage to liberate one of their kin, but only after a tremendous struggle. *Omerta* represents Puzo's last chance to dissolve the Mafia and allow his characters to lead anonymous lives, absorbed by the American community.

In Puzo's recent novels, he stresses how the Mafia's code of honor is no longer respected, especially by the younger generation. Don Clericuzio fears the new Italian Americans are too soft and easily converted into government turncoats, and brings in new soldiers from Sicily. In *Omerta*, a notorious mobster chooses not to face the consequences of his crimes, violates the code, and contributes to the downfall of Cosa Nostra. Don Aprile is quick to see how the death of *omerta* would change his world, and this is what leads him to retire. On this subject, Puzo is quite perceptive: Even John Gotti is heard on prison tapes complaining about the younger generation's lack of respect.

For Puzo, writing this novel meant tying up the loose ends, creating a sense of completion. He once told the Associated Press that *Omerta* would be "a life-ending book, for me and the Mafia. Then I'll be dead, the Mafia will be dead, and the public will be glad of it. They've had enough of both of us."

On July 2, 1999, Mario Puzo died. The book will undoubtedly go on to be a bestseller, a sure sign the public hasn't had enough of him. Miramax has already optioned movie rights to *Omerta*. He will earn millions more for his family even after his death. Which is what Puzo would certainly have wanted—to provide for his family and not be a *chooch*. **NR**

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Play, Memory

JAY NORDLINGER

MUSIC is in love with its past, and why not? There is a lot to love. Six years ago, the Teldec label scored a huge success with a video (also shown on public television) called *The Art of Conducting: Great Conductors of the Past*. In two hours, we see all of them, or many of them, including the near-mythical Arthur Nikisch (1855–1922) on silent film. A few years later, NVC Arts (a company related to Teldec) brought out *The Art of Singing: Golden Voices of the Century*—from Caruso to, roughly, Callas (this century stops a little short). Music primarily has to do with hearing, but seeing—as on these videos—has its rewards as well.

Now it is the turn of *The Art of Piano: Great Pianists of the 20th Century* (also from NVC Arts). The gang is not quite all here—hard choices had to be made—but a fine twenty are. The video is done in happy conjunction with the Philips label, which has produced the massive, sprawling series that shares the name *Great Pianists of the 20th Century*. In this 100-volume collection, the gang is all present and accounted for (and it is augmented by many pianists who only by extreme charity can be termed "great"). Philips claims that its small trunk of CDs represents is "the largest project ever undertaken by a recording company in the history of recorded music"—a credible boast.

The video begins with a pastiche of pianists playing the Beethoven Sonata in F Minor, Op. 57, known as the *Appassionata*. Doing the honors are Solomon (just one name, please—like Cher), Claudio Arrau, Myra Hess, Sviatoslav Richter, and Artur Rubinstein. The footage that follows is eye-rubbingly wonderful: Ignace Paderewski, in a hokey feature film, and as prime minister of Poland; Emil Gilels, during World War II, playing before Soviet troops, outdoors, on a platform; Alfred Cortot, preening shamelessly during a master class. Many of us—all but the oldest and most privileged—have the chance to see, for the first time, pianists we have only heard, through our stereos. Who knew that Josef Hofmann was a head-bobber? that Cortot sat so close to the keyboard, and low? that Benno Moiseiwitsch picked his hands so high?

Seeing, in music, is normally a distraction, or a snare; better to keep our eyes good and shut. But the thrill of seeing is impossible to deny, and, now and then, instructive.

It is hard to stand out among the titans shown in *The Art of Piano*, but one rather does: György Cziffra. He is almost a rediscovery. A brilliant and tragic figure, Cziffra was known mainly for his gymnastic Liszt. He was never given his due—stereotyped as a mad technician—and is today remembered only by a handful of cultists (which includes, however, some of our better pianists). Cziffra may well be the most underrated pianist of the 20th century. Harold C. Schoenberg, in his bible of piano history, *The Great Pianists*, neglects even to mention him. But the new documentary places Cziffra where he belongs—in a pantheon—and several remastered recordings, including those in the Philips series, provide all the evidence we need that here was a musician of the first order.

The Cziffra story is one of music's most intriguing: He was born in 1921, to poor Gypsies in Hungary. The home—this was Hungary, after all—had a piano, which the child immediately made his plaything. (Hungary, of course, has produced pianists the way Iowa once produced farmers.) At age five, he performed at a Budapest circus. His formal training was scant, but of the highest quality: a little time with Ernst von Dohnányi; a little more time with György Ferénczy. He was drafted into Hungary's army, then imprisoned by the Soviets in 1941. Released only in 1947, he performed in bars and nightclubs, to support himself, his wife, and their son. In 1950, he tried to flee the country, which got him three years' hard labor in a camp. This master pianist carried and broke stones in a quarry. In 1956, when the Soviet tanks rolled in again, he managed, with his family, to walk out of Hungary, into the free West. As he was to say, it was then that his life really began.

He enjoyed many fruitful years of concert work, but could never—thanks to ignorant critics and the vagaries of musical fashion—shake the stigma of a mere finger phenomenon, still, in a way, performing tricks under the big top. When he died in 1994, obituaries said things like, "Played Liszt's *Hungarian Rhapsodies*."

About that Liszt: It can hardly be ignored, because it is stupendous—without parallel. The Cziffra volume in the Philips set offers a generous dose of it. To hear Cziffra in this music is to be confronted with what ought to be impossible. The playing is marked by dizzying command and precision—also a penetrating musicality. There is terrific dance in Cziffra's hands. His phrasing is sensitive, and his passagework is crystalline. Everything is amazingly clear, and eerily accurate. The playing is tight, yet with fluency and give. Lisztian bombast

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recedes into the background. Cziffra has a sure sense of the arc of a piece. As virtuosic as this playing is—and none could be more so—it is not primarily virtuosic; it is primarily musical. This is, in fact, the gift of technique: Because the notes can be taken for granted, music-making has pride of place.

The richest trove of Cziffra recordings is to be found in EMI's *Introuvables* (Unfindables) series. Here we have not only the pianist's Liszt, and his own, stupefying transcriptions and improvisations, but music far removed from roaring Romanticism as well. The Scarlatti Sonata in C, K. 159, is a model of taste and grace. It is resolute and bouncy, with that sweetly martial feeling that is almost unique to this composer. Then there is C. P. E. Bach's little Andantino in B Minor—delicate, tender, transparent. A particular pleasure is the group of pieces from the French

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Baroque: Couperin, Rameau, and Lully. Cziffra loved to champion this repertory, and there is no more persuasive exponent of it.

But the Beethoven—the Beethoven is the real find. Cziffra—this monster of the keyboard, this Gypsy pyromaniac, this circus freak—is exquisite in Beethoven's humble Sonata in G, Op. 14 (which is more of a sonatina, really). His performance is lyrical, aristocratic, and beautifully weighted. There is a bit of bravura in the runs, but nothing vulgar. The Allegro catches—and this is key—the composer's humor. Cziffra is no less impressive in the larger, more standard sonatas. Why he lacks the reputation of a Beethovenist is a mystery.

But then, much about this pianist's standing in the world is a mystery, or inexcusable. He is said to be a "controversial" pianist. Why? He was an individualist, to be sure, and his programs were somewhat odd for their time, but he was rarely less than excellent. Often, he was better than that. Peter Cossé, who provides the liner notes for Philips, says that "Cziffra's time will surely come." The keepers of the musical tablets—long may they prosper—have summoned his memory. For playing like this, the time is always. **NR**

■ FILM ■

Catch the Wave

JOHN SIMON

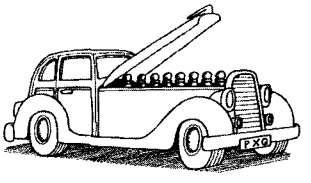
SPECIAL EFFECTS are becoming—have already become—the tail that wags the movie dog. It is sad when computer graphics, animatronics, and the rest make story and dialogue secondary, and characterization, always Hollywood's stepchild, of tertiary importance. Technological innovations may be fly-by-night curiosities like smellies, or intermittent achievements like 3D; but computerization, in film as elsewhere, is here to stay. When a tail becomes this big and powerful, it can wag an elephant, never mind a dog.

This may partly account for the lukewarm critical reception given ***The Perfect Storm***, although it has done very well at the box office. That Sebastian Junger's book, on which it is based, was a longtime bestseller, may also have elicited a certain snootiness. While there is no denying that the movie's non-action sequences leave much to be desired, that should not deny the riveting aspects their due.

Warner Brothers requested the press not to reveal the film's ending. But many people must know it from the book and its reviews; many others from seeing the movie or from hearsay; by now, at any rate, I see no reason to inhibit criticism by still acceding to this demand. Six men aboard the *Andrea Gail*, a Gloucester, Mass., swordfishing boat, lost their lives in the great No-Name or Halloween Storm of 1991, when Hurricane Grace collided with two other disturbances from the opposite direction to create what has been called the perfect storm, producing hundred-foot mountains of ravening water.

But saying that Wolfgang Petersen's film, with a script by Bill Wittliff from Junger's book, is a true story must be qualified with the reservation that dead men tell no tales, so that, beyond the bare known facts, fiction here can rampage like the storm. And this is where Wittliff, scenarist of some acceptable films, but also of the irritating *Raggedy Man* and the odious *Legends of the Fall*, unfortunately comes in. From a look at Junger's original, I conclude that no masterpiece was desecrated.

Besides the gallant but losing fight of the *Andrea Gail*'s crew, there is the agonizing of their women glued to the TV at the Crow's Nest, the Gloucester bar and hostelry where the fisherfolk hang out. There is also the air-sea rescue of three people on a sailboat by helicopter and Coast Guard cutter, in which one valiant rescuer loses his life when the copter, out of gas, must be ditched. Fishing and the rescue operations appertaining to it have cost more lives per capita than any other non-military profession; effectively, the film begins by scanning the names of a plaque of the 10,000 Gloucesterians who have died at sea, and ends with the six new names added to them.



The scenes on land, involving the fishermen and their women or families, are among the film's weakest. Those on the luxury sloop *Satori*—despite good actors wasted on them—are no better, except when these actors dangle from the copter that eventually deposits them, in mid-storm, on the cutter's deck. There is also a muffled near-romance between Billy Tyne, the *Andrea Gail*'s captain (George Clooney), and the captain of another swordboat, Linda Greenlaw (Mary Elizabeth Mastrantonio), who, having been luckier with the nets, did not need to take Billy's risks. She survives with her boat, although Billy, alas, forever eludes her catch.

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The non-action sequences in *The Perfect Storm* leave much to be desired, but that should not deny the riveting aspects their due.

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The main love story is between Bobby Shatford (Mark Wahlberg), Billy's pal and second-in-command, and his fiancée, Christina (Diane Lane); it strikes a few sparks, but fire is not this watery movie's element. There is also a running enmity, sometimes coming to blows, between two crew members, Murph (John C. Reilly) and Sully (William Fichtner), which is poorly motivated and builds to a rather stagy climax. The remaining crew members, Bugsy (John Hawkes) and the one black, Alfred Pierre (Allen Payne), are scarcely individualized. The various heroics, as also among the helicopter crew, can seldom shake off the smell of the the stereotypical.

Yet the scenes in which Billy and his men accumulate a terrific catch (refusing to sacrifice it will cost them their lives) have a documentary fascination, even if the thrashing swordfish are portrayed by four animatronic marvels (with 100 nonanimatronic models in supporting roles). For these, we admire Walt Conti at Edge Innovations no less than we do Stefen Fangmeier and Industrial Light & Magic

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for creating the storm. Luckily, those two charming women and wonderful actresses, Diane Lane and Mary Elizabeth Mastrantonio, are real enough, and in no danger from computerized competition.

The dialogue is fairly weak, but happily much of it is blotted out, if not by the storm itself, then by the churning of James Horner's music, which supererogatorily duplicates it. The director, Wolfgang Petersen, came to the fore with *Das Boot*, and has done other good things as well, notably the chess movie *Black and White Like Day and Night*, for which my vote helped him win the Best Director award at the Paris Film Festival. His solidly commercial American films (e.g., *Outbreak*, *Air Force One*, *In the Line of Fire*) have been less artistic, but still apt. He has gotten good performances from his cast here to the extent the material allows (though Clooney may be miscast), and John Seale's cinematography is as fine on land as on water.

For all that may be wrong with it, *The Perfect Storm* is still preferable—less pretentious, more gripping—to the preposterous *Titanic*, with its phony story and clichéd characters. And what a blessing not to have Leonardo DiCaprio and Kate Winslet.

■ For weeks now I have been searching for another movie to fill out this column. All in vain. The first disappointment was Woody Allen's *Small Time Crooks*, in which everyone is stupid or reprehensible, and every would-be joke is based on someone's dumbness, incompetence, or rottenness, which I don't find funny. Or funny on so low a level as to make you laugh out of the wrong side of your mouth, and even that barely.

Some movies, such as *Disney's The Kid*, sounded so bad just from their descriptions, to say nothing of the early reviews, that I would no more venture near them than sail into a perfect storm. Nevertheless, I did see a couple. There was the profoundly distasteful *Jesus' Son* (originally called F***head, after its protagonist's nickname), which, aside from glorifying all sorts of druggy and demented behavior, takes itself disgustingly seriously—as witness the title, which makes its lowlife hero into a Christ figure. (This one received near-unanimous praise.)

Then there was *But I'm a Cheerleader*, an official selection of the Toronto and Sundance Festivals—granted, two of the dumbest festivals, but still. It was a unique combination (well, not so unique these days) of abject idiocy and total incompetence. Even the cinematography was—a rare thing today—appalling; it looked less like photography than like pink and blue daubs of nail polish on newsprint. While celebrating lesbian love, it made both heterosexuals and male homosexuals look like beasts or imbeciles.

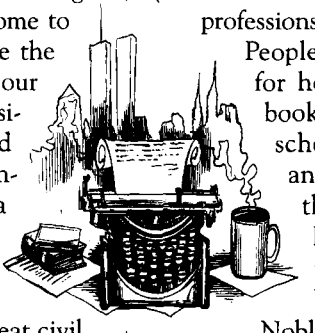
Well, I shall persevere, and not let things like *Gone in 60 Seconds* (another winner!) get me down enough to give up. Don't you do so either. **NR**

■ CITY DESK ■

Bean Town

RICHARD BROOKHISER

NEW YORK'S drug of choice is caffeine. We helped invent the martini, and the Beats first shot heroin in Times Square, but the mind-bending chemical that makes New York run is caffeine, and the delivery system of choice is coffee. We drink coffee to stay up all night, our desire to do so being one of the reasons we have come to the city of darkness. But since the world, which does not share our tastes, continues to do its business during the day, we need coffee to wake up in the morning. Like most drugs, it causes a tolerance in its users, until it becomes just an internal tickle that tells us we're still alive.



Now we are engaged in a great civil war for the soul of coffee in New York. Like the civil wars that ended the Roman republic, it is a multipartite struggle.

The plainest contestant is diner-and-deli coffee. Until recently, most diners and delis were owned by Greeks. Actual Greek coffee comes close to Talleyrand's ideal recipe: "Black as the devil, hot as hell, pure as an angel, and sweet as love." But diner-and-deli coffee is an industrial product, made in aluminum urns, brown as mud, hot as a shower, pure as the Hudson, and sweet as saccharine. Philip Marlowe once asked for some coffee "made this year." He won't find it in a New York diner or deli. The only ethnic residue is the paper cups the coffee comes in, decorated with discus throwers and Parthenons. They are the last bastion of the Western canon. When the Indians who now own the diners and delis switch to pillars of Ashoka, the end will have come.

Coffee-house coffee is of variable quality. It takes its essence from its ambiance. The coffee house has been an agora of the counterculture since the Enlightenment; it is no accident that the dialogue of *Rameau's Nephew* by Diderot ("my thoughts, those are my pick-ups") meanders in a coffee house. Kids' coffee houses dot every town with a jacked-up community college; in the city they are a shade less willed. Here there are fewer professors showing how

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Now we are engaged in a great civil war for the soul of coffee in New York.

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hip they are by going, and how professorial they are by holding forth; fewer outright slackers, more young men (somehow it is always men) in slacker professions: musicians, filmmakers. People park in coffee houses for hours with books, notebooks, and laptops; they scheme to run the world and make a few dollars; they let the axe fall on lovers, or strive mightily to put their heads on the block.

Noblest of New York's coffees is Italian. The floor of my favorite Italian coffee house is covered with small hexagonal tiles, of a kind popular at the turn of the last century; its ceiling is pressed tin. On the back wall is a tall clock in a solemn wooden case with a slow brass pendulum shaped like a lyre.

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On the wall is a not-bad painting of the Campagna: an aqueduct, a shepherd, a billowing cloud. The reginas—sesame cookies the size of big toes—are the best. If it is around the corner from heaven and my wife is there I will be happy. The Italian coffee house can shade into the countercultural variety

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Who has better brand loyalty? Which do you value most—variety? cleanliness? dependability? taste?

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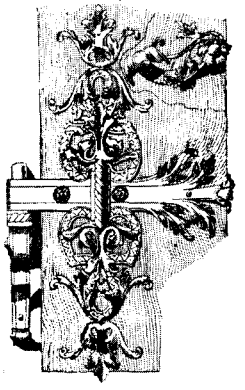
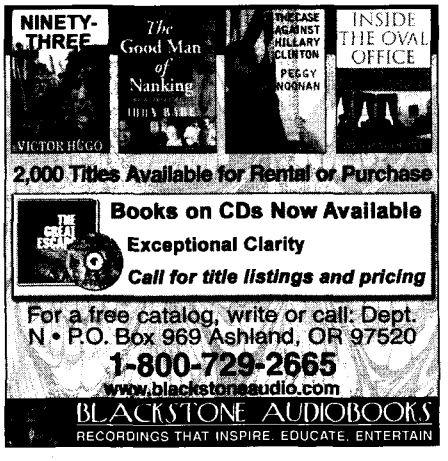
because of Italians' vast hospitality, which arises from indifference. They are locked in the toils of family; outsiders, however perverse, may come and go as they please.

For years these three ruled the world of coffee. But now there is an alien fourth—Starbucks. Its rise tracks that of the pale Northwest, and of Microsoft. The principal ethnic groups of Washington State are those noted epicures, WASPs and Scandinavians. Talk about ice people; where is Leonard Jeffries when we need him? Like Bill Gates, Starbucks employs the innovations of others. It has taken the youth orientation of coffee-house coffee, the recipes of the Italians, and the chemical methods of the diners and delis. The latter, it must be admitted, have been vastly improved. If you are some place where the only alternative coffee is diner-and-deli—an airport, for instance—you will crawl to Starbucks as to an oasis. But New York is not an airport, it is a destination. We already have coffee that doesn't need improvement. Who has better brand loyalty? Which do you value most—variety? cleanliness? dependability? taste? The struggle is keen.

If there is a Seventh Day Adventist in the audience, he may be wondering, Why do I give my body over to pollution? He has a point. I realized the addictive power of coffee when I discovered a Marinol/methadone substitute. There is a Brazilian berry called guarana, and a soft drink made from it of the same name. The Brazilian restaurant in my neighborhood lists the soft drink on its menu as Brazilian Energy Soda. On a whim I ordered it for the first time recently, and found it pleasant, sweet, and slightly cherry-tasting. After I finished it and my meal, I thought of my usual *café com leite* topper—but the desire was absent. Pondering, I told my wife, who informed me that the guarana berry is stuffed with caffeine. There must be a lot of gamboling sloths in the rain forest where it grows. I had a sobering thought—I am a junkie. Maybe I should try sleeping? **NR**

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■ BOOKS IN BRIEF ■

Diversity and Distrust: Civic Education in a Multicultural Society, by Stephen Macedo (Harvard, 384 pp., $45)

How should a democratic society balance respect for pluralism with the need to build the shared political and cultural values that make democracy possible? To answer this important question, Princeton's Stephen Macedo proposes a "tough-minded liberalism" that appreciates "diversity," but places limits on groups that represent a threat to democratic values. Other than advocating the use of reason, however, it is unclear what criteria he would apply to determine which groups pose such a threat. While his subtitle suggests a general anxiety over the way genuine pluralism has been transmogrified into multiculturalism and identity politics, Macedo seems to be distressed primarily by people who hold strong religious beliefs.

Macedo stresses the importance of public schools as wellsprings of civic education in a diverse society. He attempts to illustrate this point with a thoroughly revisionist history of the 19th-century "school wars" between the Protestant-dominated "common school" movement and the Roman Catholic minority. The culprit of his story is Archbishop John Hughes of New York, who rejected public schools because he wanted his parishioners educated in Catholic schools. While Macedo concedes that the common-school movement was entangled with racism, nativism, and anti-Catholic bigotry, and notes that Catholic children were beaten for refusing to read the King James version of the Bible, he wonders why the archbishop wasn't more understanding. After all, there was a "legitimate civic purpose" at stake.

Archbishop Hughes should have gone along with the "ecumenical, nonsectarian religion" taught in the public schools of his day, Macedo says, and religious parents today should accept the prevailing secular liberalism. Macedo puts his hope in the transformative project undertaken by public schools, which he says can rescue children from the religion of their parents. "Shouldn't we worry about parental tyranny as well as government tyranny?" he asks.

It therefore comes as a surprise when, at the end of the book, Macedo comes out in favor of school choice as a way to save inner-city children from failing public schools. He goes on to acknowledge that many Catholic schools do a better job than their public counterparts when it comes to educating urban students and fostering a common civic culture. These conclusions—surprising from a liberal academic—belie much of what comes before. One must wonder why a scholar of Macedo's stature went to such lengths to misconstrue history when the most compelling evidence in support of pluralism and choice is right before his eyes. —Joseph P. Viteritti

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WILLIAM F. BUCKLEY JR.

Cutting the Noisemaker

NEW YORK, JUNE 23

CELLULAR phones are so plentiful in Japan, the watch industry is suffering. How so? Well, the new cell phones give you the time, so who needs a watch? The ubiquity of the cell phone is especially marked in Finland, where Nokia is based, and in France and Scandinavia they are everywhere, so the problem looms: What should be the protocols in using them?

The problem is easily handled where the control unit is small and the authority is established, authority that can do what is easily enough negotiated in a restaurant: Management can say, quite simply, "No phones, sorry." And such regulations can be modified to tribal needs and anxieties. If it is the restaurant where the traders gobble up their lunch, well . . . other people may have to tolerate the exchanges, or eat elsewhere.

But who is the voice of management in public situations, and where is he? A protocol needs to evolve.

The tension has been around for generations, individual "rights" up against public rights. Buses, planes, and trains are public conveyances, and therefore there are things you may not do on them that you could do if you were in your own living room, among them strip naked. The big quarrel over 75 years has focused on billboard advertising. My own (public) views on that question are that highways are intrusions on public land, but the need for them is manifest. Congress, by specific language in the Constitution, has the power to regulate commerce, which means also the power to expedite commerce—which means highways. How does that translate into the right of Coca-Cola to advertise its benefactions in 50-foot by 20-foot displays dotted along the landscape?

The means employed by government to discourage billboards has been, as one would expect, to make costly the toleration of them. States that authorized billboards were penalized a percentage of public highway funds distributed by Washington. That penalty weighed against revenues from billboards, so that state chancellors of exchequers have been busy calculating the net situation. The empirical question—Who will win?—is moot. Not enough people are saying what they should say, namely that public advertising is an act of aggression. We should be free to look about the countryside, at hills and forests and mountains, without being enjoined, simultaneously, to drink Coca-Cola.

Are we entitled, in public transportation, to such silence as nature permits? If you want to cavil about the noise of airplane engines or horse-drawn clopclop, file your complaints on your computer in the attic. But what relief can you plead if the man behind you begins a conversation minutes after leaving Penn Station and is still yakking at Wilmington, Delaware, your destination?

I remember 30 years ago being upbraided by an elderly couple for "ruining" their trip. They were disturbed by the clicking of my typewriter. I was surprised—didn't people know that writers have to work even when they travel? Contemporary perspectives make it understandable: *Any* persistent noise is an intrusion on privacy.

The trick becomes to figure out how to authorize phone calls of instrumental intelligence ("We will be 25 minutes late arriving at Philadelphia")—which are okay—from those others that trade in logorrhea. How can the conductor tell, especially when the transitions are vague? And how is a conductor supposed to be in place everywhere that the phone is pulled out? It can't be done. There is only one solution: Require the cell-phone user to occupy a neutral area of the train, say the passageway between cars, or the buffet room. Will it be necessary to ask passengers in the future to check their phones when they come in, as if they were guns? They can be worse than guns, since guns are mostly inert. Those cell phones can be assault weapons of copious reserves and genocidal reach.

"Your refund? Certainly—do you have change for a dollar?"

Partial Democracy From the Court

NEW YORK, JUNE 30

WHAT we've been getting for some years in the war on abortion is a clamor to let the issue recede from the heated public square—punctuated by nuclear explosions plopped onto the square by the Supreme Court. You can't simultaneously let the practice of abortion evolve with some effort to adapt to public mores, and at the same time use armed force to wrest it back to judicial abstraction.

Leaving aside the question of the allocation of rights—how many to the mother, how many to the fetus, how many, if any, to the father, to the doctor, to the community—the country has been facing basic democratic questions: What do you do when the Court comes in and knocks you dead with one of its postulates, this one about the absolute right of the mother in all situations concerning which other rights are simultaneously asserted? Contention of that kind is customarily adjudicated, not in a courtroom, but in legislatures. Representatives of the people are there to take into consideration competing claims.

What we had, up until the Court's most recent decision, was laws in 30 states which said, in varying language, that certain mutilations by abortionists were offensive and should be curtailed. The fundamentalists replied that anything at all of that nature was an inroad on a basic right and therefore unconstitutional. It is worth noting that the Court, in another declaration, acknowledged a limitation on rights when it defined how close to a mother traveling to an abortionist a protester might come in the exercise of the right to free speech. What the Court has apparently said to the community at large is: Stop trying to affect the exercise of this absolute right, discovered in 1973.

What kind of democratic action can now be taken?

The most obvious is to affect the composition of the Court. The 5–4 decision at the very least suggests that grown men can argue the right of the people of Nebraska, acting through their representatives, to discourage infanticide. And this power of the president has

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already been stressed. Both Mr. Gore and Mr. Bush have told the voters: Whoever succeeds the incumbent is going to nominate one, two, maybe even four associate justices, and only one is needed to reverse the direction of the Court on this (and other) issues.

But that is unpleasant business, the notion that the way to modify court opinion is to vote out one set of judges via presidential elections. One might as well suggest a national referendum every four years on the performance of individual Supreme Court justices; so much for the idea of the separation of powers. The future of the Court will of course be charted by people appointed to it by presidents who take positions on divisive public issues, but the current impasse remains, and the precedent that comes to mind is *Dred Scott*. That decision, in 1857, took from Congress the power to attenuate slavery. The fundamentalist Court ruled that a slave was a slave pure and simple, and that no law could be defended which got in the way of the slaveowner's taking his property wherever he liked. That decision spelled not only an end to the Missouri Compromise, but, symbolically, to efforts to attenuate the right to own slaves. A generation of attenuations in that field might have resulted in the abolition of slavery, as had been done in Great Britain. It is that specter—give them an inch and they'll take a mile—which the pro-choice people are guided by. Deny us the right to poke a hole into the head of a baby partially outside the uterus, and the next thing you know, all abortions will be prohibited.

It is prudent to weigh this point. We are all members of a community and need to share basic assumptions. The pro-choice people do what they do by simply eliminating any suggestion that the thing they are talking about is anything more than a tomato. That conclusion is reached by men and women of high moral sensibility. But their difficulty is in understanding that those on the other side are moved by complementary passions, believing as they do that it is precisely human beings, not vegetables, who are being talked about. The move to discourage the most flagrant form of abortion was, like the Missouri Compromise, an accommodation. To deny it recognition as such is an exercise in abstraction which accomplishes what? Okay for partial-birth abortions (which are rare), but no thought at all to the thinking, and the sensibilities, of those who, as with the abolitionists, believe they are dealing with human beings.

And Proudly They Hail!

NEW YORK, JULY 4

THOSE who feel a little flaccid about patriotism on the Fourth of July, and wonder how to stimulate it, can do two things, one of them televised.

In our household we bring in Boston PBS at twilight, then Washington PBS. In Boston you get the Pops and a million joyous people and fireworks that drip Tiffany jewels down from the sky.

From Washington, you get the National Symphony Orchestra, robust singers of robust music, a skyline (what can match Washington's?)—and *their* fireworks. The trick is to flick back and forth—if the lady sings too long, go to Boston; and the mind will reel with sound and song, and the pulsations of celebration and the love of country, sentiments under-stimulated in modern Fourths of July.

Or you can pick up from the bookstore the volume just now published by Norman Podhoretz. Mr. P. does not specialize in ambiguity, though his critical powers permit no nuance to escape him. So he calls his book *My Love Affair with America*. And subtitles it *The Cautionary Tale of a Cheerful Conservative*. You read that book not so much for visual fireworks as for reassurance. Norman Podhoretz, through his magazine, *Commentary*, led the movement among left-intellectuals to reject the anti-Americanism that convulsed the country during the '60s and '70s.

Podhoretz tells us of his early life as a second-generation Jewish immigrant, a literary Horatio Alger who learned to speak and to write and to concentrate productively on the problems of the modern age, and on the flora and fauna of America. When as a student he discovered Walt Whitman's *Leaves of Grass*, he read it "over and over." But it was a while before he focused with any proprietary sense on American history. When he began college life he knew as much about the Wars of the Roses as about the American Revolution. He graduated with distinction from Columbia and went to Cambridge. After that he attended the College of Jewish Studies, and reflected that "No doubt the Jewish people had been in exile, but not *this* Jew, not me. My true homeland was America." Though a profound supporter of Israel, Podhoretz never confuses it with the country that celebrates the Fourth of July.

His book about his love affair examines and deals with the arguments of the Left. Over the weekend, the *New York Times* featured an exchange between Podhoretz and Victor Navasky, of *The Nation*, who seems to love that America which never quite happened, nor will. Podhoretz rejects, even disdains, the relativist affirmation of America, and was horrified by Arthur Koestler's dictum, 30 years ago, to the effect that as between the Soviet Union and the United States, "the choice before us is merely that between grey twilight and total darkness"—indeed such, during the Cold War, was the thinking of George Kennan. To the workaday shortcomings of a society in which there is crime, child abuse, illiteracy, hunger, and impiety, add the memory of freedom denied to women and to blacks, and, here and there at the turn of the century, imperialist excursions—for some, these historical disfigurations say it all. Podhoretz argues that this too is the country that excogitated and served the cause of women and blacks, fought for the end of Jim Crow, rejected imperialism, and stood fast against the Soviet bid to rule the world.

Norman Podhoretz is a man of high letters, but he makes here primarily a spiritual case for loving his country, and does so with stern admonishments to those American conservatives who give way to despair over the America of *Roe v. Wade*, the *Playboy* philosophy, and rule by the Supreme Court. Podhoretz has energetic and lively messages for them, as well as for the permanently estranged Left.

He makes his own poetry, to go with the music and fireworks of PBS in Boston and Washington, and he quotes from (the early) Henry Adams, who defended America from the critic who deemed ours a land of the alienated poor peasant. What the "poorest peasant" discerned, in the land of the free was that "the hard, practical money-getting American democrat, who had neither generosity nor honor nor imagination, and who inhabited cold shades where fancy sickened and where genius died, was in truth living in a world of dream, and acting a drama more instinct with poetry than all the avatars of the east, walking in gardens of emerald and rubies, in ambition already ruling the world and guiding Nature with a kinder and wiser hand that had ever yet been felt in human history."

Amen.

—UNIVERSAL PRESS SYNDICATE

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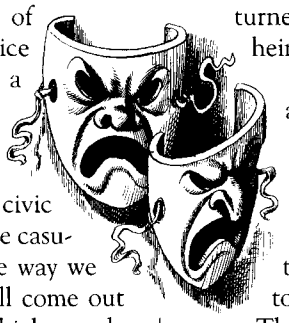
■ THE MISANTHROPE'S CORNER ■

FLORENCE KING

If pundits want a really penetrating subject to toss around on Sunday-morning shows, they should contemplate those members of the electorate who are least likely to come through Campaign 2000 all in one piece.

We, the Doomed Remnant, are the people who remember when vice presidents were rarely seen or heard, when they got our attention only if they became president the old-fashioned way, and when, in the words of John Nance Garner, the vice presidency wasn't "worth a pitcher of warm spit."



This genial disdain for the second office of the land was a measure of our civic health. It meant we could be casual, even careless, about the way we governed ourselves and still come out all right. Having someone high up who was unimportant, someone big who was routinely ignored, translated into an eccentric balance of power such as existed between absolutist kings and court jesters. Vice presidents, like jesters, were designated safety valves who kept the body politic supple.

The body politic is now straight as a ramrod, and the new measure of our civic health is the silent scream rising in our throats as we behold the tortuous writhings of Al Gore.

Conservatives who give Bush credit for his widening lead in the polls should guess again. It's not that Bush has gotten better, but that Gore has begun to inflict real psychic damage. Personally, I sense that he shares the affliction that novelist James Gould Cozzens, who liked unusual words, diagnosed in himself: "anhedonia," the inability to experience pleasure. While this can profit an introverted writer like Cozzens, in a politician it boils down to waiting for a crackup.

This is what we are presently doing, and it's taking its toll. Wondering what would happen if the real Al Gore stood up triggers visions of a campaign ad. It's "Sleepless in America" time. Twilight is spreading over the fractals . . . tinkling sound as lantern jaw crumbles under full moon . . . cut to Lon Chaney speaking v-e-r-y s-l-o-w-l-y.

Members of the Doomed Remnant know that it doesn't have to be like this. The inevitability of vice presidents came about when the Twenty-second Amendment made reelected presidents lame ducks from the moment of their reelection, which removed the guesswork from a sitting president's plans and turned the vice president into an heir apparent.

Proposed in 1947, the amendment contained a courtesy clause excepting the then-sitting president from its conditions. "Otherwise," explained my junior-high civics teacher, "it would be an insult to Mr. Truman."

This is why the last of what I call our "normal" vice presidents was Truman's 1948 running mate, 71-year-old Sen. Alben W. Barkley of Kentucky. We didn't notice him until he performed the only notable act of his tenure: He got married, which produced an unforgettable newsreel of a White House party welcoming him back from his honeymoon, in which Truman was heard to mutter, "You old fool."

The good times ended when the first administration covered by the Twenty-second Amendment took office. It seemed to us that Nixon went at the vice presidency like the houseguest who insists upon making himself useful. He was everywhere, in newsreels, on magazine covers, invariably headlined "A New Kind of Vice President." It was this, not only his reputation and personality problems, that generated the famous inarticulate revulsion contained in "There's something about Nixon. . . ." No doubt he was thorough, but there was something about Vice President Felix Unger that we couldn't stand.

When, after two terms as vice president, he ran for president in 1960, the pattern was set. Nixon's loss that year did nothing to dislodge the fait accompli: The vice presidency now was not only a heartbeat away from the presidency, but a mere eight years away from it as well.

Several reasons suggest that the metastasized second office leads to more vice-presiding than the freight will bear.

1. A favorite rationale for putting vice presidents to work is "the need to utilize all available talent." But as Nixon demonstrated, the vice presidency, like Betty Friedan's housework, expands to fill the time available. To get round this vicious circle we invent veepish jobs—commissions, blue-ribbon panels, Project-this, Target-that—which waste money and may gel into permanent bureaucracies.

2. From hyphenated Americans to hyphenated administrations: Reagan-Bush, Bush-Quayle, Clinton-Gore. It's one thing to see it on a campaign button, but to hear it spoken in a formal speech or newscast is to sense that we are moving, heartbeat by heartbeat, toward a co-presidency. Considering what the Constitution has already failed to protect us from, we can no longer use the old rubric, "It can't happen here," to rule out a power struggle.

3. Now that vice presidents are high-profile heirs, presidents have no way to get rid of them. Unsensational reasons for switching nominees no longer exist. Picking a new running mate for a second term is tantamount to saying that really big mistakes were made. The party in power has no choice but to keep the booby on the ticket, thereby helping him wear out his welcome and emerge as a compulsory presidential candidate that nobody can stand.

Conservatives inclined to delight in the Democrats' predicament should put a lid on their schadenfreude. The Veep Who Came to Dinner is an equal-opportunity disaster waiting to happen to either party. This time around the nerve-racking compulsory candidate is Al Gore, but the last one was Bush the Elder, who drove Reaganauts up the wall and tapped Dan Quayle, who drove everybody up the wall.

We need a Warm-Spit Amendment: Limit vice presidents to one term and impose a four-year moratorium to prevent them from running for president until they have made themselves useful somewhere else. **NR**

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That's also why I answered the call to lead the NRA. I believe the Second Amendment is worthy of my time...and of yours.

Just like its companions in the Bill of Rights — freedoms of speech and religion and the press — the right to bear arms welcomes all who believe in its core principles of freedom. *It also welcomes differing views about how it's exercised.* Our mutual commitment must be to defend the freedom, not to defame its critics.

I hope you'll help the NRA restore gun ownership and the shooting sports to their rightful, respected place in mainstream American life. *And if you won't, please let me know why.* **I'm The NRA.**

Charlton Heston
Actor

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Wayne LaPierre, NRA Executive Vice President

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